

WARRICK COUNTY, INDIANA

CODE OF ORDINANCES

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WARRICK COUNTY, INDIANA
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2018 S-17 Supplement

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§ 31.01 REGULAR BUSINESS HOURS FOR COUNTY OFFICES.

(A) *Establishment of regular business hours.*

(1) Each county office maintained for the transaction of business with the public or with other county offices shall be kept open for the transaction of such business at least each week, Monday through Friday, inclusive, between the hours of 8:00 a.m. and 4:00 p.m., prevailing local time.

(2) The Board of Commissioners shall annually establish a schedule of holidays during which each county office may be closed.

(3) Those offices with only one full time, regular employee or no employees in addition to the elected office holder may be closed during a lunch break not exceeding 12:00 noon until 1:00 p.m. of each day providing notice of such closing is posted in a conspicuous place near the public entrance to said office.

(4) It shall be the duty of the elected office holder in elected offices and the appointed superior in appointed offices to ensure compliance with this section.

(B) *County offices excluded from this section.*

(1) The County Circuit Court; The County Superior Court; the County Prosecuting Attorney and those offices funded through the budgets of those respective offices; the County Department of Public Welfare; the County Emergency Medical Service; the County Sheriff's office; the County Landfill; the County Highway Department; and the County Agriculture Stabilization Conservation Service are excluded from the provisions of this section.

(2) Commissioners may by resolution exempt other offices from the terms of this section or establish different hours of operation in accordance with the individual needs of those respective offices.

(C) *Injunction proceedings.*

(1) The Board of Commissioners may institute a suit for injunction in the circuit or superior courts of the county to restrain an individual from violating the provisions of this section.

(2) In the event the Board of Commissioners is successful in its suit for injunction herein, the defendant shall bear the costs of the action. (BC Ord. CO-1982-1, passed 10-15-82; Am. BC Ord. 2009-01, passed 1-1-09; Am. BC Ord. 2009-30, passed 12-28-09) Penalty, see § 31.99

§ 31.02 MEMBERSHIP IN STATE-WIDE ASSOCIATIONS.

(A) The County Auditor, County Assessor, County Treasurer, County Recorder, County Circuit and Superior Courts Clerk, County Surveyor, County Council, Board of Commissioners, County Area Planning Commission members and employees, the Director and employees of the County Department of Public Welfare and the County Prosecuting Attorney and his employees are authorized to join state-wide associations of like elected officials and public servants.

(B) Said office holders and public servants are hereby authorized to submit claims to the county for the payment of all dues and assessments to offset the costs of operation of said association upon a proper appropriation of funds for the payment of the same in the respective budgets.

(BC Ord. 1985-7, passed 2-4-85)

§ 31.03 MILEAGE REIMBURSEMENT FOR COUNTY EMPLOYEES.

County employees who have been authorized to use their personal vehicles for county business shall be reimbursed at a rate of \$0.44 per mile.

(CC Ord. 1988-1, passed 2-11-88; CC Ord. 2001-04, passed 9-6-01; CC Ord. 2004-02, passed 2-5-04; CC Ord. 2005-01, passed 11-3-05; CC Ord. 2008-04, passed 9-4-08)

§ 31.04 PER DIEM RATES FOR MEALS AND LODGING FOR COUNTY EMPLOYEES.

(A) *Definition.* The following definition shall apply to this section as written unless context indicates or requires a different meaning.

APPROVED COUNTY BUSINESS. For Warrick County, this shall mean that those mandatory trainings, continuing education conferences or other trips that are taken by the elected office holder that the office holder, in his or her discretion, would deem appropriate and necessary for the conduct of his or her business or the business of his or her office.

APPROVED COUNTY BUSINESS shall also mean mandatory trainings, continuing education conferences or other single day or overnight trips and travel by any other employee approved by the elected office holders by whom said employee is employed.

(B) *Lodging reimbursements.* Warrick County shall reimburse any employee or elected official for expenses incurred in overnight accommodations while on approved county business. The employee or elected official shall be reimbursed for actual overnight accommodations not to exceed \$160 per night per employee.

(C) *Meal per diem reimbursements.* When an employee or elected official stays overnight on travel for approved county business, that employee or elected official shall be reimbursed for meal and food expenses at the rate of \$50 per diem per employee in 24 hour increments. A request for this per diem meal reimbursement may be requested in advance by submitting appropriate written request to the Auditor's Office at least seven days in advance of the approved county business.

(D) *Other meal reimbursements.* When an employee or elected official is otherwise on approved county business that does not require an overnight stay, the employee or elected official shall be reimbursed for actual meal expenses not to exceed \$15 per day per employee upon written reimbursement request supported by receipt. Department heads and office holders may utilize this subsection for reimbursement of actual meal expenses not to exceed \$15 per day per employee for mandatory in-house training that occurs locally upon written reimbursement request supported by receipt. (CC Ord. 1989-7, passed 11-7-89; Am. BC Ord. 2009-27, passed 11-23-09; Am. BC Ord. 2011-06, passed 2-14-11; Am. BC Ord. 2017-04, passed 4-24-17)

§ 31.05 MONEY FOR TRAVEL AND ENTERTAINMENT IN CERTAIN CIRCUMSTANCES.

(A) Upon prior express approval of the Board of Commissioners, employees of the county may incur expenses for transportation, meals and lodging of individuals who are not county employees for purposes as set forth hereinabove or related purposes.

(B) In order to obtain approval of the Board of Commissioners, said employee requesting authority to incur such expenditures shall first present said request to the Board of Commissioners in open meeting, either regular or special called meeting, for review and determination.

(BC Ord. 1989-21, passed 11-6-89)

§ 31.06 PUBLIC EMPLOYEES RETIREMENT FUND.

(A) The County Council elects to become a participant in the Public Employees Retirement Fund as established by I.C. 5-10.3-1 et seq.

(B) The County Council agrees to make the required contributions under the Public Employees Retirement Fund Act, I.C. 5-10.1-1-1 et seq.

(C) The following are declared to be covered by the Fund: elected officials, all salaried and full time hourly employees.

(D) None of the classifications or positions specified in division (C) above are compensated on a fee basis or of an emergency nature, or in a part-time category.

(CC Res. passed 6-10-75)

§ 31.07 MEDICAL INSURANCE FOR RETIRED COUNTY EMPLOYEES.

(A) *Eligibility.*

(1) Any person, who has qualified for and obtained retirement status for service rendered to

Warrick County, and shall have been a full-time employee of Warrick County for a minimum of 15 years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay 50% of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(2) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of 20 years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay 25% of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(3) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of 25 years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay 15% of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(4) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of 30 years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay 10% of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(5) The phrase **COBRA PREMIUMS** shall be defined as the COBRA premium established by the third-party administrator or Warrick County's insurance agent as the may determine from time to time. For example, if the total cost for Warrick

County to provide insurance to a retiree and/or his or her spouse is \$500 per month following the retiree's retirement, the retiree shall pay an amount equal to \$500 multiplied by the applicable percentage above.

(B) Qualifying for and obtaining retirement status.

(1) A person is qualified for retirement statuses under division (A) of this section if, on the date of retirement:

(a) Such person is at least 55 years of age, is not eligible for Medicare, and is an active, full-time employee of Warrick County as of the date of the retirement; or

(b) Such person is at least 50 years of age, is not eligible for Medicare, and is an active, full-time law enforcement merit employee of Warrick County as of the date of retirement.

(2) To obtain retirement status under this section, a person who is qualified for retirement status under division (B)(1) shall notify the Warrick County Auditor of his or her intent to retire 60 days prior to retirement from Warrick County.

(3) Within 15 days of receipt of notice under division (B)(2), the Warrick County Auditor shall notify the prospective retiree as to whether he or she is qualified for retirement status as defined herein, and, if such person is qualified for retirement status, shall notify that person of his or her rights relating to such coverage.

(4) Within 30 days of receipt of notice under division (B)(3), the prospective retiree shall make application for such coverage.

(C) Events affecting coverage.

(1) In the event that a retiree from Warrick County is divorced, then the spouse is no longer eligible for any benefits pursuant to this section.

(2) In the event that a retiree from Warrick County marries after retirement, the spouse shall not be eligible for any benefits pursuant to this section.

(3) A spouse of a retiree who is otherwise qualified for, and has obtained, retirement status, shall be ineligible for continued coverage under this section if, after the retiree's retirement from Warrick County, said spouse of a retiree obtains employment through an employer that provides group medical insurance.

(4) Any retiree who shall hereafter terminate his or her insurance coverage with Warrick County for whatever reason, including non-payment of premiums as described in division (D), below, shall thereafter be forever ineligible to return to Warrick County's medical insurance programs as provided in this section. Additionally, any spouse of a retiree who shall hereafter terminate his or her insurance coverage with Warrick County for whatever reason including, but not limited to, obtaining group medical insurance with a subsequent employer, shall thereafter be ineligible to return to Warrick County's medical insurance program as provided in this section.

(5) In the event that the retiree dies, the surviving spouse who otherwise qualifies to receive insurance coverage with Warrick County shall be eligible to retain medical insurance benefits pursuant to this section so long as the surviving spouse does not remarry or obtain employment through an employer that provides group medical insurance.

(D) Premium contributions and payment.

(1) The retiree and his or her spouse, if applicable, shall contribute a portion of the monthly COBRA premiums in accordance with the percentage schedule referenced in division (A) of this section. Such premium contributions shall be altered in accordance with defined calculations when the total cost of insurance to Warrick County changes based on policy renewal or applicable changes to the plan.

(2) Payment of premium contributions shall be due the first of each month and delivered to the Warrick County Auditor. Payment shall be made by check or money order payable only to the Warrick County Treasurer. Payments shall be late if received after the tenth day of the month when payment is due, in which event the retiree shall be assessed a late fee of \$25.

(3) If payments of a premium contribution got ten months in arrears, the retiree, and if applicable, the spouse's medical insurance premium account shall be placed on probationary status until premium contributions and late fees are paid in full. If payments of premium contribution go three months in arrears, the Warrick County Auditor shall notify the retiree, and if applicable, the spouse, in writing that the retirement medical benefit shall be terminated in 30 days if premium contributions and late fees are not paid in full. If payments of a premium contribution become four months in arrears, the medical insurance for that retiree, and if applicable, the spouse and any dependents shall be terminated and the Warrick County Auditor shall notify the retiree and spouse in writing.

(E) *Conversion to Medicare supplement plan.* When the retiree attains the age of 65 years or the spouse, if applicable, attains the age of 65 years, the medical insurance coverage shall be converted to a Medicare supplement plan which is in effect between the Warrick County and a private insurer. The portion of the premium contribution paid by the retiree, spouse, and Warrick County shall remain the same as provided in division (A) of this section.

(F) The term **WARRICK COUNTY AUDITOR** as identified in this section shall mean the Warrick County Human Resources Director so long as the position is in existence at the time of the prospective retiree's retirement date.

(CC Ord. 1998-15, passed 11-23-98; Am. BC Ord. 2002-13, passed 11-20-02; Am. BC Ord. 2009-07, passed 8-10-09; Am. BC Ord. 2012-21, passed 6-25-12; Am. BC Ord. 2014-09, passed 3-24-14; Am. BC Ord. 2014-13, passed 5-12-14; Am. BC Ord. 2017-31, passed 11-27-17)

§ 31.08 PURCHASING POLICY FOR THE PROCUREMENT OF EQUIPMENT, GOODS, MATERIALS AND SERVICES.

(A) *Introduction.* This chapter outlines the Warrick County purchasing policy for the procurement of equipment, goods, materials and services. This chapter does not apply to public works as defined in I.C. 36-1-12 *et seq.* It follows state purchasing laws but may be stricter than the state law at the discretion of the Warrick County Board of Commissioners. I.C. 5-22-3-3 states: "The purchasing agency of a governmental body may establish written policies for purchases made by the purchasing agency. The written policies may apply to all purchases generally or to a specific purchase as stated in the solicitation for the purchase." A written policy may supplement this section or a rule adopted by the purchasing agency's governmental body and not be inconsistent with this section or a rule adopted by the purchasing agency's governmental body. The purchasing agent as herein defined shall purchase the equipment, goods, materials and services for all Warrick County departments and offices.

(B) Authority and definitions.

(1) The provisions herein are to be construed consistent with the provisions of I.C. 5-22.

(2) The definitions in I.C. 5-22 shall apply herein unless the context clearly indicates otherwise. Below are some definitions found within this policy.

EMERGENCY. A situation, which threatens injury or death to any person, damage to property or disruption of governmental services.

EQUIPMENT. Any articles or physical resources needed by employees of Warrick County to equip them to perform their job requirements, such as implements, motorized vehicles and tools, and electronic and computerized devices.

GOODS and MATERIALS. Shall both mean any tangible item not otherwise equipment that

are needed by employees of Warrick County to perform their job requirements.

MBE. A minority business enterprise.

OFFER. A response to a solicitation.

OFFEROR. A person that submits an offer.

POLICY. The purchasing agency's or purchasing agent's written statement of:

1. Purchasing procedure; or
2. Substantive purchasing purposes; that does not have the force and effect of law.

PURCHASE. To buy, procure, rent, lease, or otherwise acquire. The term includes the following activities: description of requirements; solicitation or selection of sources; preparation; and award of contracts.

PURCHASING AGENT. The Warrick County Purchasing Department.

PURCHASING AGENCY. A governmental body that is authorized to enter into contracts by this section, rules adopted under this article, or by another law. This shall mean the Warrick County Board of Commissioners.

SERVICES. The furnishing of labor, time, or effort by a person, not involving the delivery of specific supplies, other than printed documents or other items that are merely incidental to the required performance.

SOLICITATION. The procedure by which Warrick County invites persons to submit an offer to enter into a contract with Warrick County for the purchase or sale of supplies by Warrick County, including invitation for bids, a request for proposals and request for quotes.

SPECIFICATIONS. A description of the physical characteristics, functional characteristics, or nature of materials, and may include a description of a requirement for inspecting, testing, or preparing materials for delivery.

SUPPLIES. Shall include equipment, goods and materials.

WBE. A woman business enterprise.

(3) This document is not intended to be a complete listing of authority and procedure under I.C. 5-22. Any power or authority delineated in I.C. 5-22 is hereby incorporated herein as a discretionary power of the purchasing agency or purchasing agent.

(C) *Competitive bids, quotes and price checks.*

(1) *Purchases less than \$50,000 (I.C. 5-22-8-2).*

(a) Purchases less than \$50,000 require at least three informal verbal or written quotes, including those written quotes received via email and fax, to be submitted directly to the purchasing agent. Quotes may be opened at the Warrick County Board of Commissioners' meeting or may be opened by the purchasing agent in the discretion of the purchasing agent.

(b) In conjunction with the quote, the purchasing agency may require a vendor to provide the following documentation: non-collusion affidavit; equal employment opportunity statement; form of proposal; e-verification documentation; and an acceptance and agreement of terms. The person obtaining the quotes shall record the item quoted, date, vendor, price and name of the person giving the quote: I.C. 5-22-7-9. A bid register may be used to record such information. The information required above shall be attached to the requisition. The purchasing agent shall keep a copy of the requisition and attachments for no less than two years.

(c) The invitation to quote may provide for the recurring purchase of goods, materials, equipment and other supplies governed by I.C. 5-22.

(d) The purchasing agency, in its discretion, may award a quote that is not the lowest amount, taking into consideration what is advantageous to Warrick County, by taking into consideration factors such as: price, quality of service, vendor's qualifications and reputation and any other factors it wishes to consider. The Warrick County Board of Commissioners will select the quote it feels will best serve and be in the best interest of Warrick County.

(e) The purchasing agency may cancel an invitation to quote and may reject all bids for any reason. If there are no responsive or responsible offerors, the purchasing agent may purchase the items without further bidding under I.C. 5-22-10-10.

(2) *Purchases equal to or more than \$50,000 and equal to less than \$150,000 (I.C. 5-22-8-3).*

(a) Purchases ranging from \$50,000 to \$150,000 will be procured through an informal quote method. Quotes shall be solicited from at least three suppliers known to deal in the lines or classes of supplies to be purchased. In conjunction with the quote, the purchasing agency may require a vendor to provide the following documentation: non-collusion affidavit; equal employment opportunity statement; form of proposal; e-verification documentation; and an acceptance and agreement of terms. The person obtaining the quotes shall record the item quoted, date, vendor, price and name of the person giving the quote. A bid register may be used to record such information. The information required above shall be attached to the requisition. The purchasing agent shall keep a copy of the requisition and attachments for no less than two years.

(b) The purchasing agent shall mail an invitation to quote at least seven days before the time fixed for receiving quotes (I.C. 5-22-8-3). The lowest responsible and responsive offeror shall be awarded

the contract for supplies. The purchasing agent may reject all quotes. If there are no responsive or responsible offerors, the purchasing agent may purchase the items without further bidding under I.C. 5-22-10-10.

(3) *Purchases more than \$150,000 (I.C. 5-22-7).*

(a) Formal competitive bidding is required.

(b) Legal advertising is required. The notice shall be published two times, at least one week apart, with the second publication made at least seven days before the date the bids will be opened (I.C. 5-3-1).

(c) Bids are to be opened at the Warrick County Board of Commissioners' meeting or at another authorized public forum.

(D) *Miscellaneous provisions.*

(1) *State bid.* Departments must refer to the State Bid List when applicable on all items exceeding \$1,000. Purchases do not have to be made from the state bid list if better pricing can be obtained or if the state does not offer the product needed.

(2) *Supplies manufactured in the United States.* Pursuant to I.C. 5-22-15-21, supplies manufactured in the United States shall be specified and purchased unless the purchasing agent determines that any of the following apply:

1. The supplies are not manufactured in the United States in reasonable available quantities;

2. The price of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available and comparable supplies manufactured outside the United States;

3. The quality of the supplies is substantially less than the quality of comparably priced

available supplies manufactured outside the United States;

4. The purchase of supplies manufactured in the United States is not in the public's best interest; or

5. The purchasing agent decides to cancel the solicitation for any reason.

(3) *Faxed quotes, price checks, and bids.* Faxed or e-mailed offers may be considered for price checks or informal quotes. Fax or e-mail documents must contain all the requested forms and information set forth by the purchasing agent. The offeror assumes the risk of malfunctioning equipment, or equipment which does not deliver the fax or e-mail for any reason. An offeror shall follow-up the faxed or e-mailed information by mailing an original document by united states mail on the same date, postage prepaid, as it is faxed or e-mailed.

(4) All purchasing contracts furnished by the seller shall be submitted to the Warrick County Attorney for review prior to final approval by the Warrick County Board of Commissioners.

(5) *Purchasing sources.*

(a) The following sources should be contacted before all other sources for purchases of all supplies.

1. *Purchases from the Department of Correction (I.C. 5-22-11).* A Purchasing Agent shall purchase from the Department of Correction supplies as listed in the department's printed catalog unless the supplies cannot be furnished in a timely manner (I.C. 5-22-11-1-3). Supplies and services purchased under this chapter must meet the specifications and needs of the Warrick County and be purchased at a fair market value (I.C. 5-22-11-2).

2. *Purchases of rehabilitation center products (I.C. 5-22-12).* A purchasing agent shall comply with the provisions of I.C. 5-22-12 for

purchases of supplies from the rehabilitation center established under I.C. 5-22-12-1-3. These provisions are the same as the above provisions cited for the Department of Correction.

3. *Purchases from qualified nonprofit agencies for persons with severe disabilities (I.C. 5-22-13).* These provisions are the same as the above provisions cited for the Department of Correction.

4. *Purchases from MBE and WBE vendors.* It is the policy of Warrick County to utilize and give equal opportunity to MBE/WBE vendors. Discrimination against any MBE/WBE shall not be tolerated.

(E) *Services (I.C. 5-22-6).*

(1) The purchasing agent may contract for services to be provided to a department head or office holder using any procedure deemed appropriate (I.C. 5-22-6-1). Competitive bidding is not required unless mandated by state or Federal law.

(2) Warrick County may advertise and/or solicit competitive quotes for any service at the discretion of the office holder or purchasing agent. All contracts for professional services costing \$1,500 or more must be in written form and reviewed by the Warrick County Attorney before being brought to the Warrick County Board of Commissioners for approval. A Warrick County office holder or department head shall not sign a professional service agreement without the Warrick County Board of Commissioners' approval, unless otherwise noted below.

(3) Pursuant to I.C. 5-22-6, the purchasing agent may recommend to the Warrick County Board of Commissioners to award a service agreement using any procedure the Board deems appropriate. The quotes will be reviewed and evaluated by the Warrick County Board of Commissioners by taking into consideration factors such as: price, quality of service, vendor's qualification and reputation and any other

factor(s) the Warrick County Board of Commissioners wish to consider. The Warrick County Board of Commissioners will select the quote it feels will best serve and be in the best interest of Warrick County.

(4) Economic development projects pursued by the Warrick County Department of Economic Development are exempt from this division (E), and are not required to obtain the approval of the Warrick County Board of Commissioners before signing a professional service agreement.

(F) *Lease of equipment.* No lease for equipment shall be effective or signed by any office holder or department head without prior approval of the Warrick County Board of Commissioners.

(G) *Specifications of supplies (I.C. 5-22-5).*

(1) Specifications shall be required for every item over \$25,000 to be procured hereunder. Specifications for items less than \$25,000 may be satisfied by including on the requisition the make, model, serial number, name of the product or a detailed description of the service.

(2) The purchasing agency shall maintain an indexed file of specifications prepared by or under the authority of its purchasing agent (I.C. 5-22-5-4).

(3) The purchasing agent may proceed under I.C. 5-22-5-5 for request for specifications when the purchasing agent makes a written determination that the development of specifications by Warrick County is not possible, and the Warrick County Board of Commissioners approve the use of I.C. 5-22-5-5.

(4) All items to be procured shall be F.O.B. Boonville, Indiana, at the location designated in the specifications. Prices must include delivery. No additional monies will be paid for delivery.

(5) All insurance requirements shall be stated in the specifications in addition to whether time of delivery is a consideration of the award.

(6) Specifications must indicate whether the products are manufactured in the United States.

(7) The specifications shall contain the minimum warranty period required.

(H) *Competitive bidding - solicitations (I.C. 5-22-7).* Invitation for bids, request for proposals, and request for quotes.

(1) A solicitation may provide that offers will be received and contracts awarded separately for any combination of lines or classes of supplies.

(2) A solicitation may provide that the purchasing agency will award a contract for supplies for an unspecified or estimated number of items at a fixed price per unit and that the contract may contain a formula or method for the escalation of the unit price.

(3) *Price.* No offeror or bidder shall be allowed to alter or change his/her quote or bid prior to award to the lowest responsible and responsive bidder. After the award, the lowest responsible and responsive bidder may negotiate terms and conditions, except the bid price, more favorable to Warrick County (I.C. 5-22-7-11).

(4) *Prohibited additions.* The purchasing agent may not accept additions to the contract that are prejudicial to Warrick County or fair competition (I.C. 5-22-7-13).

(5) *Approved equals.* If the specifications so provide, a bidder or quoter may submit a request for an approved equal before the deadline for approved equal submittal as stated in the specifications.

(6) *Discrepancies.* If there are errors in the bid or quote, the written words shall control over numbers. Errors may be corrected by the offeror as long the purchasing agent determines that such errors were unintentional, do not affect fair competition, and are corrected to the advantage of Warrick County. Unit prices shall prevail over extended prices.

(7) *Confidentiality.* Offerors may request that certain confidential financial information or proprietary information be kept confidential. The product bid and the price shall in all events be subject to the open record law. If such confidentiality is brought into question in any court or agency, the offeror shall defend, indemnify and hold harmless Warrick County in any such proceeding if requested by the Warrick County Attorney and the purchasing agent.

(8) *Withdrawal of offers.* An offeror may withdraw his offer at any time prior to the opening of the offer. After an offer is opened at the date and time specified, the offer may be withdrawn only upon the consent of the purchasing agent. The following criteria shall be used to determine whether the offeror should be allowed to withdraw its offer:

(a) Financial hardship on the offeror if it is not withdrawn;

(b) Financial hardship on Warrick County if withdrawn;

(c) Availability of the product from another offeror; and

(d) What is the best interest of Warrick County.

(9) *Bid documents.* The specifications shall state the documents to be submitted with the offer. The purchasing agent may not allow the offeror to submit a bid bond or certified check after the offers are open. Other documents may be supplemented or submitted if the omission is unintentional, does not affect the price, does not substantially affect the fairness in the bidding process and is approved by the purchasing agent.

(10) *Cancellation or rejection (I.C. 5-22-18-2).* The purchasing agent may cancel a solicitation or reject all offers, in whole or in part, if the purchasing agent determines it is in the best interest(s) of Warrick County. The reason for

cancellation or rejection of all offers must be a part of the contract file. Warrick County may temporarily discontinue services, stop work or alter the scope of services required.

(11) *Non-collusion form.* The offeror must file an affirmation form pursuant to I.C. 5-22-16-6.

(12) *Offers opened after time stated in solicitation (I.C. 5-22-18-3).* Offers may be opened after the time stated in the solicitation if both of the following apply:

(a) The purchasing agency makes a written determination that it is in the best interest of Warrick County to delay the opening; and

(b) The day, time and place of the rescheduled opening are announced at the date, time and place of the originally scheduled opening.

(13) *Solicitation not required (non-profit agency) (I.C. 5-22-13-2).* A purchasing agent may purchase supplies and services without advertising or calling for bids from a "qualified" non-profit agency for persons with severe disabilities unless the supplies cannot be furnished in a timely manner.

(14) *Invitation for bids. (I.C. 5-22-7-2).*

(a) An invitation for bids must include:

1. A purchase description describing the supplies or services to be purchased. This includes specifications attached to, or made a part of, the solicitation.

2. All contractual terms and conditions.

3. A statement of the evaluation criteria that will be used, including any of the following: inspection; testing; quality; workmanship; delivery; and suitability for a particular purpose.

4. Time, date and place for opening bids.

5. Whether or not a certified check, bond, or other evidence of financial responsibility is required. A purchasing agent may provide that a certified check, bond or other evidence of financial responsibility is required to be submitted with the offer. If faxing is permitted, it shall be sufficient if a copy of such check, bond or evidence of financial responsibility is included in the fax and the original is placed in the United States mail, postage prepaid, addressed to the purchasing agent before the date offers are to be opened. Checks, bonds and other evidence of financial responsibility shall be required only when required by the invitation for bids at the discretion of the purchasing agent.

6. A statement concerning the conditions under which a bid may be canceled or rejected in whole or in part as specified in I.C. 5-22-8-2.

(b) *Maintenance of bid information.*
(I.C. 5-22-7-9).

1. The purchasing agency shall maintain the following information:

- A. The name of each bidder;
- B. Amount of each bid; and
- C. Other information required by state law.

2. All information is subject to public inspection after each contract award (I.C. 5-22-7-9).

(c) *Acceptance and evaluation of bids*
(I.C. 5-22-7-7).

1. Bids must be unconditionally accepted without alteration or correction, except as provided in I.C. 5-22-7-11 through I.C. 5-22-7-13 and evaluated based on the requirements provided in the invitation for bids (I.C. 5-22-7-7).

2. A purchasing agency may not permit changes in bid prices or other provisions of bids prejudicial to the interest of Warrick County or fair competition after bid opening (I.C. 5-22-7-11).

3. If a bidder inserts contract terms or bids on items not specified in the invitation for bids, the purchasing agent, pursuant to I.C. 5-22-7-12, shall treat the additional material as a proposal for addition to the contract and may do any of the following:

A. Declare the bidder non-responsive.

B. Permit the bidder to withdraw the proposed additions to the contract in order to meet the requirements and criteria provided in the invitation for bids.

C. Accept the proposed additions to the contract, subject to I.C. 5-22-7-13.

D. Contract additions may not be accepted if they are prejudicial to the interest of Warrick County or fair competition (I.C. 5-22-7-3).

(d) A contract must be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder (I.C. 5-22-7-8).

(e) Except as provided in rule or policy, a purchasing agency must make a written decision to permit the correction or withdrawal of a bid or cancel awards or contracts based on bid mistakes (I.C. 5-22-7-10).

(15) *Request for proposals* (I.C. 5-22-9).

(a) When a purchasing agent makes a written determination that the use of competitive sealed bidding is either not practicable or not advantageous to Warrick County, the purchasing agent may award a contract using the request for proposal process under I.C. 5-22-9.

(b) The purchasing agency shall give public notice of the request for proposals in the manner required by I.C. 5-3-1.

(c) Request for proposals must include the following:

1. The factors or criteria that will be used in evaluation. The only factors that may be used in the evaluation of proposals are those specified in the request for proposals (I.C. 5-22-9-10).

2. A statement concerning the relative importance of price and the other evaluation factors.

3. A statement concerning whether the proposal must be accompanied by a certified check or other evidence of financial responsibility.

4. A statement concerning whether discussions may be conducted with responsible offerors, who submit proposals determined to be reasonably susceptible of being selected for award (I.C. 5-22-9-6)

5. All other evaluation criteria.

(d) An award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the Warrick County, taking into consideration price and the other evaluation factors set forth in the request for proposals (I.C. 5-22-9-7).

(e) If provided in the request for proposals, award may be made to more than one offeror whose proposals are determined in writing to be advantageous to Warrick County, taking into consideration price and other evaluation factors set forth in the request for proposals (I.C. 5-22-9-7).

(I) *Special purchases (I.C. 5-22-10).*

(1) *Special purchases must be made with competition as is practicable under the circumstances.*

The Warrick County Attorney shall be consulted prior to bringing a special purchase request to the Warrick County Board of Commissioners. A purchasing agent may make a purchase without soliciting bids or proposals as follows:

(a) *Emergencies (I.C. 5-22-10-4).* A purchasing agent may make a special purchase when there exists, under emergency conditions, a threat to the public health, welfare or safety.

(b) *Substantial savings (I.C. 5-22-10-5).* A purchasing agent may make a special purchase when there exists a unique opportunity to obtain supplies or services at a substantial savings.

(c) *Auction (I.C. 5-22-10-6).* A purchasing agent may make a special purchase at an auction.

(d) *Data processing contracts or license agreements (I.C. 5-22-10-7).* A purchasing agent may make a special purchase of data processing contracts or licensing agreements for:

1. Software programs; or

2. Supplies or services, when only one source meets the using agency's reasonable requirements.

(e) *Compatibility of equipment, accessories or replacement parts (I.C. 5-22-10-8).* A purchasing agent may make a special purchase when:

1. The compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase; and

2. Only one source meets the using agency's reasonable requirements.

(f) *Other situations.* The purchasing agent may make a special purchase under the following:

1. Threatened impairment of functioning of a Warrick County Department (I.C. 5-22-10-9).

2. Failure to receive a responsive offer through approved purchasing methods (I.C. 5-22-10-10).

3. For the evaluation of supplies or a system containing supplies. This would be to obtain functional information or comparative data (I.C. 5-22-10-11).

4. When the market structure is based on price but Warrick County is able to receive a dollar or percentage discount of the established price (I.C. 5-22-10-12).

5. Single or sole source supply (I.C. 5-22-10-13). A purchasing agent must determine in writing that there is only one source for the supply.

6. Price equal to or less than Federal supply services established by the Federal General Services Administration (I.C. 5-22-10-14).

7. Purchase is made from a person who has a contract with a Federal Agency or State Agency and the person's contract with the Federal Agency or State Agency requires the person to make the supplies available to the state or political subdivisions (I.C. 5-22-10-15).

8. Transfer of supplies from Federal Government under (I.C. 5-22-10-16).

9. By accepting a gift (I.C. 5-22-10-17).

(g) *Contract files.* A purchasing agent shall maintain the contract records for a special purchase in a separate file for a minimum of five years. The file must include a written determination of the basis for the special purchase and the selection of a particular contractor. These records are subject to annual audit by the State Board of Accounts (I.C. 5-22-10-3).

(J) *Contracts (I.C. 5-22-17).*

(1) This section does not apply to a discounted contractual arrangement for services or supplies funded through a designated leasing entity.

(2) A contract for supplies may be entered into for a period not to exceed four years.

(3) The contract must specify that payment and performance obligations are subject to the appropriation and availability of funds.

(4) Subject to limitations found in I.C. 5-22-17-4, a contract may be renewed any number of times, for terms not longer than the original contract, so long as the contract does not contain any provisions for escalation of the price.

(5) *Petroleum products.* Pursuant to I.C. 5-22-17-10, a purchasing agent may award a contract for petroleum product to the lowest responsible and responsive offeror or all responsive and responsible offerors. Contracts entered into under this section may allow for the escalation or de-escalation of price.

(6) A cost plus a percentage of cost contracts are prohibited (I.C. 5-22-17-1).

(7) A cost reimbursement contract is allowed if the purchasing agent determines in writing that the contract is likely to be less costly than any other contract type or it is impracticable to obtain the supplies required except under such a contract (I.C. 5-22-17-2).

(8) Late performance clauses are encouraged in all appropriate situations so as to protect Warrick County's interest. Notice of inclusion of this contract provision must be stated in the solicitation (I.C. 5-22-17-6).

(K) *Warrick County Department responsibilities.*

(1) It is the responsibility of each elected office holder and/or department head to ensure full compliance with purchasing policies and procedures.

(a) Each office holder or department head shall:

1. Utilize the purchasing agent for all purchases of equipment, goods, materials and services for Warrick County offices and departments;

2. Plan purchasing needs on the basis of time and quantity to enhance cost savings;

3. Verify that sufficient funds are budgeted or make arrangements for funding prior to initiating a purchase request; and

4. Be available to participate in evaluating bids and request for proposals when submitted by prospective bidders.

(L) *Role of the Warrick County Purchasing Department.* The Warrick County Purchasing Department will facilitate efficient and legal purchasing practices within Warrick County. The Warrick County Purchasing Department will ensure that the purchasing policy and procedures of Warrick County are followed in the procurement of equipment, goods, materials and services and administers an effective program that encourages free and open competition and bidding.

(CC Ord. 1998-6 and 1998-7, passed 6-22-98; BC Res. 2016-12, passed 11-28-16; BC Ord. 2016-30, passed 12-12-16; BC Ord. 2017-26, passed 10-10-17; BC Ord. 2017-30, passed 11-27-17)

§ 31.09 EMPLOYEE HANDBOOK AMENDMENTS.

The county shall charge any person who qualifies under § 4.14 of the *Employee Handbook to Benefits Continuation* following termination, resignation, death, reduction in the employees hours or a leave of absence, an employee's death or legal separation and a dependent child who no longer meets eligibility requirements or any other qualifying event which permits such a person to continue health coverage to pay in addition to the employer's group rate an administration fee of 2% of the group rate for the continued coverage.

(CC Res. 2001-08, passed 9-12-01)

§ 31.10 DISCLOSURE OF CONTRACTS WITH RELATIVES.

(A) *Definitions.* For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTED OFFICIAL. A County Commissioner or County Council member.

RELATIVE. Any of the following: spouse, parent or stepparent, a child or stepchild, brother, sister, stepbrother or stepsister, a niece or nephew, an aunt or uncle, or a daughter-in-law or son-in-law. An adopted child of an individual is treated as a natural child of the individual. The terms brother and sister shall include a brother or sister by half blood (a common parent).

(B) *Application to certain contracts.*

(1) The county may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an elected official or a business entity that is wholly or partially owned by a relative of an elected official only if disclosure requirements under this section are satisfied.

(2) Contracts in existence at the time the term of office of the elected official begins are not affected until those contracts are renewed.

(C) *Disclosure of contracts with relatives.*

(1) An elected official whose relative enters into a contract with the county shall file a full disclosure of that contract.

(2) Disclosure statement must be in writing, describe the contract or purchase to be made by the county, describe the relationship that the elected official has to the individual or business entity that contracts or purchases, and be affirmed under penalty of perjury.

(3) Disclosure statement must be submitted to the Board of County Commissioners (County

Council in Lake, St. Joseph and Marion Counties) and be accepted by the Board (Council) in a public meeting prior to final action on the contract or purchase.

(4) Disclosure statement must be filed not later than 15 days after final action on the contract or purchase with the State Board of Accounts, and the Warrick County Clerk of the Circuit Court.

(D) *Actions by Board of Commissioners or appropriate agency.* The Board of County Commissioners or an appropriate agency of the county designated by the Board of County Commissioners shall make a certified statement that the contract amount or purchase price was the lowest amount or price bid or offered or make a certified statement of the reasons why the vendor or contractor was selected.

(E) *Certification by elected officers of the county.* Each elected officer of the county shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this section. An elected officer shall submit the certification to the Board of County Commissioners not later than December 31 of each year.

(BC Res. 2012-08, passed 6-11-12)

§ 31.11 NEPOTISM PROHIBITED.

(A) *Definitions.* The following definitions shall apply in the interpretation and the enforcement of this section.

DIRECT LINE OF SUPERVISION. An elected officer or employee who is in a position to affect the terms and conditions of another individual's employment, including making decisions about work assignments, compensation, grievances, advancement or performance evaluation. The term does not include the responsibilities of the County Council or Board of County Commissioners to make decisions regarding salary ordinances, budgets or personnel policies of the county.

EMPLOYED. An individual who is employed by the county on a full time, part time, temporary, intermittent or hourly basis. The term does not include an individual who holds only an elected office. The term includes an individual who is a party to an employment contract with the county. The performance of the duties of a precinct election officer (as defined in I.C. 3-5-2-40.1) shall not be considered employment by the county.

RELATIVE.

(a) Any of the following:

1. Spouse;
2. Parent or step parent;
3. A child or step child;
4. Brother, sister, step brother or step sister;
5. A niece or nephew;
6. An aunt or uncle; or
7. A daughter-in-law or son-in-law.

(b) An adopted child of an individual shall be treated as a natural child of the individual. The terms **BROTHER** and **SISTER** shall include a brother or sister by half blood (a common parent).

(B) *Nepotism prohibited.*

(1) Individuals who are relatives shall not be employed by the county in a position that results in one relative being in the direct line of supervision of the other relative.

(2) An individual shall not be promoted to a position if the new position would cause their relative to be in the direct line of supervision of that individual, unless that individual is otherwise exempt under I.C. 36-1-20.2 *et seq.*

(3) This section does not abrogate or affect an employment contract with the county that an individual is a party to and is in effect on the date the individual's relative begins serving a term of an elected office of the county.

(4) This section does not apply to individuals who are employed by the county on the date the individual's relative begins serving a term of an elected office in the county and the individual is in the direct line of supervision of the newly elected official.

(5) This section does not apply to a spouse of the County Sheriff employed by the county as prison matron for the county under I.C. 36-8-10-5.

(6) This section does not apply to an individual who served as County Coroner, is currently ineligible to serve due to term limits under Article 6, § 2(b) of the State Constitution, has received certification under I.C. 36-2-14-22.3, and whose successor in the office of County Coroner is a relative.

(C) Impact of section on those individuals employed by county on July 1, 2012. An individual who is employed by the county on July 1, 2012, is not subject to this section unless the individual has a break in employment with the county. The following are not considered a break in employment with the county:

(1) The individual is absent from the workplace while on paid or unpaid leave, including vacation, sick, or family medical leave, or worker's compensation.

(2) The individual's employment with the unit is terminated followed by immediate reemployment by the unit, without loss of payroll time.

(D) Certification by elected officers of the county. Each elected officer of the county, exclusive of judges and the County Prosecutor, shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this section. An

elected officer shall submit the certification to the Board of County Commissioners not later than December 31 of each year.

(BC Res. 2012-07, passed 6-11-12; Am. BC Res. 2014-04, passed 2-10-14)

§ 31.12 CELL PHONE USAGE.

Cell phones, service contracts and certain usage of said cell phones shall be provided and paid for by the Commissioners for those county departments, office holders and staff that the Commissioners may approve from time to time. Basic equipment charges and cell phone services that are contracted for by the Commissioners shall be paid by the Commissioners from their annual budget. Any charges for equipment, services or other upgrades in addition to the contracted for amount shall be the sole responsibility of the department or office holder who elects such additional equipment or services.

(BC Res. 2014-10, passed 12-8-14)

§ 31.13 CONFLICT OF INTEREST POLICY AND MINIMUM THRESHOLD.

The Board of Commissioners of Warrick County, Indiana, hereby establishes a conflicts of interest policy for all Warrick County officials and employees wherein Warrick County officials and employees are bound by the duties of their office or employment to avoid any and all conflicts of interest, but that the dollar threshold of \$200 is hereby established for any single event, meeting or function, below which any financial interest or value of any gratuity is not considered substantial and may be accepted.

(BC Ord. 2017-03, passed 2-27-17)

§ 31.14 USE OF COUNTY VEHICLES AND FRINGE BENEFIT POLICY.

(A) County vehicles in general. Warrick County owns various motor vehicles and may from time to time in its discretion provide a motor vehicle to a county employee to be utilized for county business. A

Warrick County motor vehicle is property of the county and an employee that is assigned to a county motor vehicle is expected to follow all rules and regulations pertaining to the use of that county owned motor vehicle including the duty to operate the motor vehicle safely and according to all state and local laws, and to display reasonable care and prudent behavior when operating and maintaining an assigned county vehicle.

(B) *Personal use of county vehicles; prohibitions.* Personal use of a Warrick County vehicle is defined as all use not for county business and includes commuting to and from work on a daily basis even if the county requires the employee to take the vehicle home. Under the Internal Revenue Code and IRS rules and regulations, personal use of a county vehicle is a taxable fringe benefit to the employee. It is the policy of Warrick County that personal use of a county vehicle, other than commuting and other *de minimis* personal use, is prohibited.

(C) *Qualified non-personal use vehicles.* Law enforcement vehicles are considered by the county to be qualified non-personal use vehicles and are therefore exempt from this section.

(D) *Calculation of taxable fringe benefit to employee; commuting valuation rule.* Pursuant to IRC § 274 and Internal Revenue Service guidelines, as may be amended from time to time, the commuting valuation rule may be utilized for reporting of taxable value of employer provided take home vehicles. Warrick County will add the personal value of a county provided vehicle to the taxable wages of the employee and will so report that attributed income for tax purposes for the daily round trip for the commutation of the employee from work to home and from home to work on regularly-scheduled work days. Days not worked including sick or vacation days, if reported on the employee's salary schedule, shall not have use imputed to them for those days off work.

(BC Ord. 2017-05, passed 3-13-17)

§ 31.99 PENALTY.

(A) Any person who violates any provision of this chapter for which no specific penalty is provided shall be subject to the provisions of § 10.99.

(B) (1) Any elected official in elected offices or appointed superior in appointed offices who violates § 31.01 shall, upon conviction thereof, have imposed a civil fine and be required to pay the costs of the action. The fine for the first violation shall be \$500. The fine for the second or any subsequent violation shall be \$2,500. Said penalties shall not be suspended.

(2) Each day's violation of § 31.01 shall constitute a separate offense.

(3) Jurisdiction for the enforcement of § 31.01 shall lie either with the circuit or superior courts.

(4) Actions to enforce the penalties of § 31.01 shall be brought in the name of the county and prosecuted by either the County Prosecuting Attorney or the County Attorney as directed by the Board of Commissioners.

(BC Ord. CO-1982-1, passed 10-15-82)



CHAPTER 32: SHERIFF'S DEPARTMENT

Section

- 32.01 Police reserves
- 32.02 Vehicle inspection fees
- 32.03 Sheriff's Sale Program and service fee
- 32.04 Sex and Violent Offender
Administration Fund
- 32.05 Convicted inmate booking fee
- 32.06 Appointment of Sheriff's deputies

§ 32.01 POLICE RESERVES.

(A) There is hereby established, pursuant to I.C. 36-8-3-20, the County Sheriff's Reserves, which shall be known as the Sheriff's Reserve Unit.

(B) The maximum members of said reserve unit shall be 25.

(C) The Sheriff's Department shall establish rules defining the authority of said police reserves prior to the appointment of any members to said unit. (BC Ord. CO-1982-2, passed 12-6-82; Am. BC Ord. 2011-21, passed 9-12-11)

§ 32.02 VEHICLE INSPECTION FEES.

(A) There is hereby imposed a fee for any vehicle inspection made by the Sheriff's Department, or any member thereof, pursuant to I.C. 9-29-4-2. Such fee shall be payable by the person requesting such inspection, and it shall be paid at the time the inspection is made. Upon payment of such fee, the person making an inspection shall issue a receipt therefor.

(B) The amount of the fee established in division (A) above shall be \$5. In addition, in the event that arrangements are made for an inspection other than at the Sheriff's Department, and in the event that either the vehicle to be inspected or the person requesting such inspection is unavailable at the time and place

agreed for the inspection, then the fee shall nonetheless be payable whether or not the inspection is completed. An additional fee shall be payable at any subsequent time at which the inspection is actually made.

(C) Nothing herein shall be construed to require the County Sheriff or any member of the County Sheriff's Department to travel to any location out of the county to make any such inspection.

(D) All fees collected pursuant to this section shall be payable to the county; shall be delivered forthwith upon receipt to the office of the County Auditor; and shall be deposited by the Auditor in the County Sheriff's Department Vehicle Inspection Fund to be expended therefrom for equipment for the Sheriff's Department or Sheriff's Department personnel.

(BC Ord. 1988-10, passed 4-25-88)

§ 32.03 SHERIFF'S SALE PROGRAM AND SERVICE FEE.

(A) The Sheriff's Sale Program is approved and established to provide the procedure for the Sheriff to contract for those administrative, technical, clerical and related services that are reasonable and appropriate for the Sheriff to effectively prepare for, manage and implement foreclosure sales.

(B) The Commissioners hereby establish a fund to be titled the Sheriff's Sale Fund into which all collections of Foreclosure Costs Fees, as hereafter defined, shall be deposited and from which the appropriate expenses of the Sheriff's Sale Program shall be appropriated and paid. In consideration of the substantial amount of travel and vehicle expenses incurred by the Sheriff as part of the administration of the program, appropriate expenses of the Sheriff's Sale Program shall include expenses related to vehicle

purchase and maintenance and fuel. The Sheriff's Sale Fund shall be a non-reverting fund to be used only for the purposes set forth herein and shall not revert to the County General Fund at year end.

(C) The Sheriff is authorized to negotiate and execute a contract with a provider to obtain such administrative, technical, clerical and related services (the "Sheriff's Sale Program Agreement") in order for the Sheriff to conduct the Sheriff's Sale Program.

(D) The Sheriff's Sale Program Agreement shall provide for the delivery of such services by a contractor in compliance with all applicable statutory provisions for the conduct of foreclosure sale proceedings and the Sheriff's Sale Program. The Sheriff's Sale Program Agreement shall also provide for the payment of an administrative fee pursuant to I.C. 32-29-7-3(c) and (h), not to exceed \$200 per parcel for each parcel scheduled in the Sheriff's Sale Program, to the contractor for such services.

(E) The Sheriff is hereby authorized to charge a fee of \$200 per parcel of property in the Sheriff's Sale Program and to deposit such foreclosure costs fees collected by or on behalf of the Sheriff in the Sheriff's Sale Fund.

(F) The foreclosure costs fee shall be payable at the time of filing the praecipe under I.C. 32-29-7-3(h), which shall be a charge for the Sheriff's Sale in addition to other statutory costs and fees.

(G) The Sheriff's Sale Program Agreement shall provide for a complete and accurate accounting of all Sheriff's Sale Program proceeds and compliance with any reporting or record requirements as set forth by the Indiana State Board of Accounts.
(BC Ord. 2005-17, passed 8-24-05; Am. BC Ord. 2012-29, passed 9-24-12)

§ 32.04 SEX AND VIOLENT OFFENDER ADMINISTRATION FUND.

(A) *Established.* Pursuant to I.C. 36-2-13-5.6, the County Board of Commissioners hereby

establishes the "Warrick County Sex and Violent Offender Administration Fund." The purpose of the fund is to defray the expense of administering and/or enforcing compliance with the laws concerning the Indiana Sex and Violent Offender Registry.

(B) Fees.

(1) *Registration fee.* The annual fee for sex or violent offenders registering in the county shall be \$50. Payment of the fee shall be made upon the offender's initial registration in the county and subsequently on or before each annual registration date.

(2) *Change of address fee.* A fee of \$5 shall be charged and collected each time a sex or violent offender registers an address change with the County Sheriff's Office.

(C) *Payment of fees.* All fees collected under this section shall be collected by the County Sheriff's Office when a sex or violent offender registers and/or changes an address with the County Sheriff's Office.

(D) *Procedures.* All fees collected under this section by the County Sheriff's Office shall be transferred to the County Auditor in a timely manner. On a monthly basis, the County Auditor shall:

(1) Transfer and deposit 90% of any fees collected under this section into the County Sex and Violent Administration Fund; and

(2) Transfer 10% of any fees collected under this section to the state for deposit in the State Sex and Violent Offender Administration Fund under I.C. 11-8-8-21.

(BC Ord. 2015-10, passed 4-13-15)

Cross-reference:

Funds and fees, see Ch. 37

§ 32.05 CONVICTED INMATE BOOKING FEE.

(A) A booking fee of \$50 is hereby established for those persons lodged in the Warrick County Jail

who have been convicted in the Warrick County Circuit or Superior Court for a crime for which the person is to be incarcerated or held in the Warrick County Jail.

(B) The booking fee collected by the Warrick County Sheriff's Office shall be deposited into the county's general revenue account under the Sheriff's booking fee line item to help pay for the medical expenses for inmates lodged in the Warrick County Jail.

(C) Fees deposited into the county's general revenue account under the Sheriff's booking fee line item shall be used by the Warrick County Sheriffs Office to help cover medical expenses for inmates lodged in the Warrick County Jail, including but not limited to, the purchase of supplies, equipment or for training purposes as deemed necessary by the Warrick County Sheriff's Office.

(D) This section shall be in full force and effect from and after its passage by the Warrick County Board of Commissioners and following publication of the same in accordance with I.C. §§ 5-3-1 *et seq.* (BC Ord. 2016-20, passed 10-10-16)

(C) The Board of Commissioners of Warrick County authorize the Warrick County Sheriff to expend already budgeted funds from the Warrick County Sheriffs Department current year budget for the deputy salaries for the individuals so appointed by the Sheriff, and authorizes the Sheriff to encourage the deputies so appointed to apply through the normal employment process for probationary employment as soon as the Warrick County Sheriff determines the emergency has ended; and

(D) The Warrick County Sheriff shall immediately report to the Board of Commissioners when the emergency has ended at which time the powers granted in this section shall terminate. (BC Res. 2017-05, passed 1-23-17)

§ 32.06 APPOINTMENT OF SHERIFF'S DEPUTIES.

(A) That a public safety emergency exists pursuant to I.C. 36-8-10-6 due to the exhaustion of the pool of qualified candidates for deputies of the Warrick County Sheriffs Department where the Warrick County Sheriff is hereby granted emergency powers to appoint qualified deputy candidates pursuant to statute until the Warrick County Sheriff deems the emergency to end;

(B) The powers granted the Warrick County Sheriff is made to promote public safety and conserve the peace; to repress, prevent, and detect crime; and to apprehend criminals;

CHAPTER 33: OTHER DEPARTMENTS, COUNCILS AND COMMITTEES

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Cross-reference:

Construction site and post-construction site stormwater control, see Ch. 54
Illicit discharge and connection, see Ch. 53
Sheriff's Department, see § 32.01 et seq.
Stormwater management, see Ch. 52
Stormwater utility rates, see Ch. 55

DEPARTMENT OF PARKS AND RECREATION**§ 33.01 ESTABLISHMENT.**

Pursuant to I.C. 36-10-3-3 (A), there is hereby established a Department of Parks and Recreation, composed of the Board of Parks and Recreation, and such other personnel as the Board shall determine. (CC Ord. PB-1982-1, passed 11-18-82)

§ 33.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. Board of Parks and Recreation.

COUNCIL. Advisory Council.

DEPARTMENT. Department of Parks and Recreation.

HIS. Refers to both the male and the female possessory.

SUPERINTENDENT. The Superintendent of Parks and Recreation.
 (CC Ord. PB-1982-1, passed 11-18-82)

§ 33.03 COMPOSITION OF BOARD; APPOINTMENT OF MEMBERS.

(A) The Board of Parks and Recreation shall be composed of five members who have been selected on the basis of their interest in and knowledge of parks and recreation.

(B) The Board shall be appointed in the following manner:

(1) The Circuit Court Judge of the county shall appoint two members, each affiliated with a different political party.

(2) The County Commissioners shall appoint one member.

(3) The County Council shall appoint two members each affiliated with a different political party.
 (CC Ord. PB-1982-1, passed 11-18-82)

§ 33.04 RULES REGARDING APPOINTMENTS AND TERMS OF OFFICE.

The rules regarding the appointment and terms of Parks and Recreation Board members are as follows:

(A) In initially appointing members to the Board, the appointing authorities should give special consideration to members of previous park and recreation boards, in order to provide continuity of experience and programs.

(B) An appointing authority shall make initial appointments within 90 days after the creation of the Board.

(C) Neither a municipal executive nor a member of a county fiscal body, county executive, or municipal fiscal body may serve on a Board.

(D) The terms of the members initially appointed shall be as follows:

(1) The Circuit Court Judge's appointments are for one and three years respectively.

(2) The County Commissioners' appointment is for a two-year term.

(3) The County Councils' appointments are for two- and four-year terms respectively.

(E) All terms expire on the first Monday in January, but a member continues in office until his successor is appointed.

(F) If an appointment for any term is not made by the first Monday in April, the incumbent shall serve another term.

(G) As a term expires, each new appointment is for a four-year term.

(H) If a vacancy on the Board occurs, the appointing authority shall appoint a person to serve for the remainder of the unexpired term.
(CC Ord. PB-1982-1, passed 11-18-82)

§ 33.05 COMPENSATION.

The members of the Board of Parks and Recreation shall be compensated consistent with I.C. 36-10-3-9.
(CC Ord. PB-1982-1, passed 11-18-82)

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Warrick County - Administration

§ 33.84 UTILITY DISTRICT CREATED.

Pursuant to I.C. 8-1.5-5, there is hereby created a utility district which shall include all of the territory within the corporate boundaries of the county that is not located in a municipality.

(BC Ord. 2006-12, passed 7-26-06; Am. BC Ord. 2012-19, passed 5-29-12; Am. BC Ord. 2012-27, passed 8-27-12)

§ 33.85 FUNDING.

Funding for the Department of Stormwater Management's activities may include, but shall not be limited to, the following:

(A) Stormwater user's fees.

(B) Civil penalties and damage assessments imposed for or arising from the violation of the county's stormwater management ordinances.

(C) Soil and erosion control plan permit fees.

(D) Compliance inspection fees.

(E) Taxes levied pursuant to I.C. 8-1.5-5 or other relevant authority.

(F) Revenue bonds issued pursuant to I.C. 8-1.5-5.

(G) Other funds or income obtained from federal, state, local, and/or private sources as provided by law or from grants, or revolving funds. (BC Ord. 2006-12, passed 7-26-06; Am. SWM Ord. 2007-01, passed 8-29-07; Am. BC Ord. 2012-19, passed 5-29-12; Am. BC Ord. 2012-27, passed 8-27-12)

§ 33.86 FEES ESTABLISHED.

(A) *Stormwater user's fee established.*

(1) There shall be imposed on each and every property in the county outside of a municipality,

except exempt property, a stormwater user's fee, which shall be set from time to time by ordinance or resolution, and in the manner and amount prescribed by this subchapter.

(2) Prior to establishing or amending user's fees, the county shall advertise its intent to do so by publishing notice in a newspaper of general circulation in the county pursuant to I.C. 5-3-1.

(B) *Soil and erosion control plan permit fee.*

(1) There shall be imposed on each and every property being developed in the town, a soil and erosion control plan permit fee, which shall be set from time to time by ordinance or resolution, and in the manner and amount prescribed by this subchapter.

(2) Prior to establishing or amending the soil and erosion control plan permit fee, the county shall advertise its intent to do so by publishing notice in a newspaper of general circulation in the county pursuant to I.C. 5-3-1.

(C) *Compliance inspection fee.*

(1) There shall be imposed on each and every property in the county outside of a municipality, a compliance inspection fee, for inspections necessitated because of a violation of any provision of this subchapter, which shall be set from time to time by ordinance or resolution, and in the manner and amount prescribed by this chapter.

(2) Prior to establishing or amending the compliance inspection fee, the county shall advertise its intent to do so by publishing notice in a newspaper of general circulation in the county at least 30 days in advance of the meeting pursuant to I.C. 5-3-1.

(BC Ord. 2006-12, passed 7-26-06; Am. BC Ord. 2012-19, passed 5-29-12; Am. BC Ord. 2012-27, passed 8-27-12)

§ 33.87 BUDGET.

(A) The Stormwater Management Board shall prepare a budget for the operation of the Department on an annual basis. The budget shall set forth the estimated revenues and costs for operations and maintenance, extension and replacement, debt and other revenue and costs provided by law. The budget shall contain funds to maintain the Indiana Municipal Separate Storm Sewer System (MS4) – NPDES Permitting Program 327 IAC 15-13 and shall include but not limited to:

- (1) General administration;
- (2) Public education and outreach;
- (3) Public participation and involvement;
- (4) Illicit discharge detection and elimination;
- (5) Construction site runoff control;
- (6) Post-construction site runoff control;
- (7) Pollution prevention and good housekeeping; and
- (8) Tracking and monitoring stormwater quantity into the sanitary storm sewer system and into county legal drains.

(B) The budget shall be subject to approval by the County Council and any issuance of bonds or other methods for making capital improvements shall be approved by the Stormwater Management Board and the County Council as provided by law.

(BC Ord. 2006-12, passed 7-26-06; Am. BC Ord. 2012-19, passed 5-29-12; Am. BC Ord. 2012-27, passed 8-27-12)

WARRICK COUNTY TOURISM COMMISSION**§ 33.90 ESTABLISHMENT OF WARRICK COUNTY TOURISM COMMISSION.**

There is hereby established a Warrick County Tourism Commission (hereinafter, the "Commission") to promote, assist and encourage the development and growth of the convention, visitor, recreation and tourism industries in Warrick County, Indiana. (BC Ord. 2017-33, passed 12-11-17)

§ 33.91 NOMINATION OF COMMISSION MEMBERS.

(A) The Commission shall consist of nine members who shall be nominated as follows:

(1) Four members shall be nominated by the Board of Commissioners of Warrick County, with no more than three members affiliated with the same political party;

(2) Three members shall be nominated by the Warrick County Council, with no more than two nominations affiliated with the same political party;

(3) One member shall be nominated by the Mayor of the city, as provided by I.C. § 6-9-18-5; and

(4) One member shall be nominated by the President of the Town Council of the town; and

(B) All nominations to the Commission shall be submitted to the board of Commissioners by January 1 of each year, and are subject to the approval of the Board of Commissioners who shall appoint those nominated to serve after verifying membership criteria and eligibility as provided below in § 33.92. The Board of Commissioners shall take all efforts to appoint Commission members to insure the membership will best serve the tourism interest of Warrick County.

(BC Ord. 2017-33, passed 12-11-17)

§ 33.92 COMMISSION MEMBERSHIP.

(A) The Board of Commissioners shall appoint the members of the Commission based upon the nominations submitted and applying the following guidelines no later than January 15 of each year:

(1) At least five of the members must be engaged in convention, visitor, recreation or tourism businesses or involved in promoting conventions, visitors, recreation or tourism events within Warrick County, including representatives of non-profits that regularly sponsor and promote events that are likely to generate tourism to Warrick County.

(2) At least two of the members of the Commission must be engaged in the business of renting or furnishing rooms, lodging, or accommodations as described in I.C. § 6-9-18-3 within Warrick County.

(3) No more than one representative of the same business entity or commercial enterprise shall be on the Commission at any time. This provision does not apply to non-profit and charitable organizations. No more than five of the members of the Commission may be affiliated with the same political party.

(4) No more than five of the members of the Commission may be affiliated with the same political party.

(5) Each Commission member must reside in Warrick County.

(6) There shall be no limits on the number of Commission members who are residents of any particular township of Warrick County.

(B) The Board of Commissioners may reject a nomination to the Commission if the nomination would prevent the Commission membership from complying with the above rules. In that event, the Board of Commissioners may either request the nominating body to nominate an alternative individual for consideration or appoint an alternative member that will comply with the above rules..
(BC Ord. 2017-33, passed 12-11-17)

§ 33.93 TERMS OF OFFICE OF COMMISSION MEMBERS.

The Board of Commissioners, upon appointing the original Commission members shall assign an initial term of two years to five members, and an initial term of one year to four members. Upon the initial terms expiring and thereafter, the term of office for each member of the Commission shall be two years. Members may serve on no more than four consecutive terms at a time. If a vacancy occurs, the Board of Commissioners shall appoint a qualified person to serve for the remainder of the term. If an appointment is not made by February 1 of any year or vacancy is not filled within 30 days, the Commission shall appoint a member by majority vote subject to the approval of the Board of Commissioners.
(BC Ord. 2017-33, passed 12-11-17)

§ 33.94 REMOVAL OF COMMISSION MEMBERS FOR CAUSE.

A member of the Commission may be removed for cause by the Board of Commissioners of Warrick County.
(BC Ord. 2017-33, passed 12-11-17)

§ 33.95 REIMBURSEMENT OF COMMISSION MEMBERS.

Commission members shall not receive a salary. However, Commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties as may be determined by the Commission.
(BC Ord. 2017-33, passed 12-11-17)

§ 33.96 POWERS OF COMMISSION.

The powers of the Commission are those set out in I.C. § 6-9-18-6, which include the authority:

(A) 33.96.01. To accept and use gifts, grants, tax revenues and other contributions from any public

or private source, under terms and conditions that the Commission considers necessary and desirable;

(B) 33.96.01. To sue and be sued;

(C) 33.96.02. To enter into contracts and agreements including:

(1) The hiring of legal counsel, financial accounting services, marketing and promotion services, and/or other professional advisors; and

(2) The ability to contract with the Warrick County Chamber of Commerce for the hiring of staff, including a part-time Executive Director of the Commission;

(D) 33.96.03. To make rules necessary for the conduct of its business and the accomplishment of its purpose;

(E) 33.96.04. To receive and approve, alter, or reject requests and proposals for funding by qualified organizations described under subdivision (6);

(F) 33.96.05. To transfer money, after approval of a request or proposal from a qualified organization, from time to time from the Warrick County Convention, Visitors and Tourism Fund (Fund 7304-Innkeeper's Tax Collection), or from money transferred from that Fund to the Commission's treasurer, to any Indiana not-for-profit corporation to promote and encourage conventions, visitors, recreation or tourism events in the County; and

(G) 33.96.06. To require financial or other reports from any party or entity that receives funds from the Commission.

(BC Ord. 2017-33, passed 12-11-17)

§ 33.97 OATH OF COMMISSION MEMBERS.

Each Commission member, before entering his or her duties, shall take an oath of office in the usual form, to be endorsed upon his certificate of appointment and promptly filed with the Clerk of the Warrick County Circuit Court.

(BC Ord. 2017-33, passed 12-11-17)

§ 33.98 ANNUAL ORGANIZATION MEETINGS OF COMMISSION.

The Commission shall meet within 90 days of January 1, 2018 for purposes of organization and shall further meet after January 1 each year thereafter for its annual meeting. The Commission shall elect one of its members president, another vice president, another secretary, and another treasurer. The members elected to those office shall perform the duties pertaining to the offices. The first officers chosen shall serve from the date of their election until their successors are elected and qualified. A majority of the Commission constitutes a quorum, and the concurrence of a majority of the Commission is necessary to authorize any action.

(BC Ord. 2017-33, passed 12-11-17)

§ 33.99 PURPOSES OF THE COMMISSION.

The purpose of the Commission shall be to promote, assist and encourage the development and growth of the convention, visitor, recreation and tourism industry in Warrick County, in accordance with I.C. § 6-9-18-5.

(BC Ord. 2017-33, passed 12-11-17)

§ 33.100 AWARDING OF GRANTS.

Each year, the Commission shall set aside a certain sum, determined by the Commission, to be granted to not-for-profit organizations for the creation, development, and/or publication of brochures, pamphlets, graphic artwork, websites, and/or other materials that help not-for-profit organizations promote their events and operations and thereby encourage visitors and tourists to visit the county.

(BC Ord. 2017-33, passed 12-11-17)

§ 33.101 QUARTERLY REPORT TO THE COMMISSIONERS AND BUDGET.

The Commission shall prepare and deliver a report, no less frequently than quarterly, to the Board of Commissioners of Warrick County as to the status

of the development and growth of the convention, visitor, recreation, and tourism industries in the county. The Commission shall also prepare an annual budget proposal for review and approval by the County Council.

(BC Ord. 2017-33, passed 12-11-17)

CHAPTER 36: TAXATION

Section

County Option Income Tax

- 36.01 Imposition of tax; tax rate

The County Option Income Tax is imposed at a rate of 0.2% on the resident county taxpayers of the county and at a rate of 0.05% on all other county taxpayers. This tax takes effect on July 1 of 1986.

Economic Development Income Tax

- 36.10 Imposition of tax
36.11 Tax rate
36.12 Adoption of capital improvement plan

(B) The tax rate for subsequent years is as follows:

	<i>Resident County Taxpayers</i>	<i>Other County Taxpayers</i>
<i>Hotel and Motel Taxes</i>		
36.20 Innkeepers' tax and establishing a Convention, Visitor, and Tourism Promotion Fund	7-1-87 to 6-30-88 0.3% 7-1-88 to 6-30-89 0.4% 7-1-89 to 6-30-90 0.5% 7-1-90 to 6-30-91 0.6% and subsequent years (CC Ord. 1986-1, passed 3-24-86)	0.075% 0.1% 0.125% 0.15%

Tax Phase-In Program

- 36.30 Application process
36.31 General standards and requirements
36.32 Tax deduction - real estate
36.33 Tax deduction - manufacturing
equipment
36.34 Tax deduction - new research and
development equipment
36.35 Subsequent statements of benefits
36.36 Compliance with statement of benefits

ECONOMIC DEVELOPMENT INCOME TAX

§ 36.10 IMPOSITION OF TAX.

The County Council imposes the County Economic Development Income Tax on the county taxpayers.
(CC Ord. 1989-2, passed 3-23-89)

Cross-reference:

Vehicle taxes, see §§ 71.01, 71.02

§ 36.11 TAX RATE.

The County Economic Development Income Tax is imposed at a rate of 0.5% on the county taxpayers.
(CC Ord. 1989-2, passed 3-23-89; Am. CC Ord. 2000-1, passed 3-3-00)

COUNTY OPTION INCOME TAX

§ 36.01 IMPOSITION OF TAX; TAX RATE.

(A) The County Income Council imposes the County Option Income Tax on the county taxpayers.

§ 36.12 ADOPTION OF CAPITAL IMPROVEMENT PLAN.

The capital improvement plan adopted March 13, 1995 is hereby adopted by reference and made a part of this code the same as if set forth in full herein. (BC Ord. passed 3-13-95; Am. BC Ord. 1995-14, passed 9-11-95; Am. BC Ord. 2002-01, passed 1-16-02; Am. BC Ord. 2002-11, passed 11-20-02; Am. BC Ord. 2004-14, passed 11-10-04; Am. BC Ord. 2005-19, passed 10-12-05; Am. BC Ord. 2008-01, passed 2-13-08; Am. BC Ord. 2008-09, passed 10-22-08)

HOTEL AND MOTEL TAXES

§ 36.20 INNKEEPERS' TAX AND ESTABLISHING A CONVENTION, VISITOR, AND TOURISM PROMOTION FUND.

(A) An innkeeper's tax is hereby levied on every person, as defined by I.C. 6-2.5-1-3, engaged in the business of renting or furnishing, for periods of less than 30 days, any room or rooms, lodgings, or accommodations in any of the following located in Warrick County ("Innkeeper's Tax"):

- (1) Hotel;
- (2) Motel;
- (3) Boat motel;
- (4) Inn;
- (5) College or university memorial union;
- (6) College or university residence hall or dormitory; or
- (7) Tourist cabin.

(B) The Innkeeper's Tax does not apply to gross income received in a transaction in which:

(1) A student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or university located in the county; or

(2) A person rents a room, lodging, or accommodations for a period of 30 days or more.

(C) The Innkeeper's Tax shall be levied at the rate of 5% on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under I.C. 6-2.5.

(D) The Innkeeper's Tax shall be reported on forms approved by the Warrick County Treasurer and shall be paid monthly to the Warrick County Treasurer not more than 20 days after the end of the month in which the Innkeeper's Tax is collected.

(E) All of the provisions of I.C. 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the Innkeeper's Tax, except to the extent those provisions are in conflict or inconsistent with the specific provisions of I.C. 6-9-18 or the requirements of the Warrick County Treasurer.

(F) The Warrick County Treasurer is directed to establish the Warrick County Convention, Visitor, and Tourism Fund (Fund 7304 - Innkeeper's Tax Collections) in which all amounts received under this section shall be deposited.

(G) Money in the Warrick County Convention, Visitor, and Tourism Fund shall be used to promote and encourage conventions, visitors, and tourism within Warrick County. Such expenditures include, but are not limited to, expenditures for advertising, promotional activities, trade shows, special events, and recreation.

(CC Ord. 1999-1, passed 11-4-99; Am. CC Ord. 2017-01, passed 6-1-17)

TAX PHASE-IN PROGRAM

§ 36.30 APPLICATION PROCESS.

A person seeking declaration of an area as an economic revitalization area shall file a statement of benefits (for redevelopment or rehabilitation of property, new manufacturing equipment and/or new research and development equipment) and an application with the Department of Economic Development on the form or forms which may be prescribed by the Department of Economic Development, County Council and/or the State Board of Tax Commissioners. The application must be filed with the Department of Economic Development (Department), prior to commencement of the project or the ordering of any equipment. **COMMENCEMENT OF THE PROJECT** shall mean prior to the issuance of a building permit for real estate improvements. **ORDERING EQUIPMENT** shall mean issuance of the purchase order for equipment or other commitment to purchase or obtain the equipment by the applicant.

(A) *Submission requirements.* The application shall be submitted in a quantity as may be specified by the Department. For projects seeking tax phase-in for real estate improvements, a site plan shall also be submitted, which shows all buildings, parking areas, driveways, etc.

(B) *Resolution requirements.* The Department shall prepare the preliminary and confirming resolutions for each tax phase-in project. The resolutions shall include the information required by I.C. 6-1.1-12.1 *et seq.*, including the legal description or other suitable description of the property being designated as an economic revitalization area; the length of time during which the economic revitalization area designation shall be in effect (generally to include two complete tax years and ending on March 1); whether the designation is for real estate improvements, new manufacturing equipment or new research and development equipment; and the length of deduction.

(C) *Staff review.* The Department shall review each application for completeness and accuracy, gather and provide additional information needed by the County Council to make an appropriate decision, analyze the application and supplemental material and comment generally on the acceptability of the request for economic revitalization area declaration. The Department shall assess the impact of phase-in on the feasibility of the project. The Department shall score the application based on the applicable tax phase-in scoring established and attached as Exhibit A to Board of County Commissioners Resolution 2006-07. This score will be used only as a guide by County Council to determine a maximum allowable phase-in term. The Department and the County Council shall review the scoring system at least annually.

(D) *Recommendation of Economic Development Advisory Council.* Before an application and resolution is submitted to the County Council, the Department shall present application and scoring to the Economic Development Advisory Council for its review and recommendation.

(E) It is highly recommended that a representative for the project and/or legal counsel be present and prepared to speak about the proposed project at each County Council and Economic Development Advisory Council meetings where the request for tax phase-in for the project is on the agenda.
(CC Res. 2006-07, passed 5-4-06)

§ 36.31 GENERAL STANDARDS AND REQUIREMENTS.

(A) Declaration of an economic revitalization area will be considered for projects in the following categories:

- (1) Manufacturing;
- (2) Warehousing and distribution;
- (3) New research and/or high technology facilities;

(4) Renovation of vacant manufacturing facilities;

(5) Office buildings;

(6) Recreational and commercial (retail) facilities as defined in I.C. 6-1.1-12.1-3(e) that are located in an economic development target area which have been designated by the Economic Development Commission and the County Council pursuant to I.C. 6-1.1-12.1-7;

(7) New manufacturing equipment; and

(8) New research and development equipment.

(B) An application for declaration as an economic revitalization area shall meet one or more of the following criteria:

(1) The property, or area, is undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development or use of property.

(2) A property or area which includes a facility or a group of facilities that are technologically, economically, or energy obsolete and where the obsolescence may lead to a decline in employment and tax revenues.

(C) An application shall also address at least one of the following development objectives:

(1) Generate the use of vacant or underutilized land;

(2) Rehabilitate or replace obsolete, deteriorated, vacant or underutilized buildings;

(3) Retain or expand job opportunities; or

(4) Preserve historically or architecturally significant properties.

(D) *Exclusions.* Certain areas of the county have been, or may in the future be, designated as "tax allocation areas" pursuant to I.C. 36-7-14-39, through the adoption of redevelopment plans with tax increment financing provisions. Areas within a tax allocation area shall not be considered for declaration as an economic revitalization area unless said tax phase-in is approved by a resolution of the County Redevelopment Commission. At the time of the adoption of this resolution, the following areas of the county were designated as tax allocation areas.

(1) Epworth Road Economic Development Area; and

(2) State Route 62 Economic Development Area.

(CC Res. 2006-07, passed 5-4-06)

§ 36.32 TAX DEDUCTION - REAL ESTATE.

(A) *Application.* Pursuant to I.C. 6-1.1-12.1-5, the owner of property which has been declared to be an economic revitalization area and who desires to obtain the tax deduction provided by I.C. 6-1.1-12.1-3 for "property" must file a certified deduction application, on forms prescribed by the State Board of Tax Commissioners, with the County Auditor before May 10 (except as otherwise provided in I.C. 6-1.1-12.1-5(b) or (e)) of the year in which the addition to the assessed value is made.

(B) *Length of deduction.*

(1) For projects for which the statement of benefits was approved July 1, 2000, or after except as provided in I.C. 6-1.1-12.1-3(a), for redevelopment or rehabilitation is eligible for a deduction from the increase in assessed value for a period of one to ten years.

(2) For projects for which the statement of benefits was approved before July 1, 2000, for

redevelopment or rehabilitation is eligible for a deduction from the increase in assessed value for periods of three, six, or ten years.
(CC Res. 2006-07, passed 5-4-06)

§ 36.33 TAX DEDUCTION - MANUFACTURING EQUIPMENT.

(A) *Application.* Pursuant to I.C. 6-1.1-12.1-5.5, the owner of property which has been declared to be an economic revitalization area and who desires to obtain the tax deduction provided by I.C. 6-1.1-12.1-4.5 for "new manufacturing equipment" must file a certified deduction application, on forms prescribed by the State Board of Tax Commissioners with the County Auditor and with the State Board of Tax Commissioners. A deduction application must be filed in the year in which the new manufacturing equipment is installed and in each of the following years for which abatement is sought.

(B) *Length of deduction.* For projects for which the statement of benefits was approved July 1, 2000, or after except as provided in I.C. 6-1.1-12.1-4.5(g), an owner of new manufacturing equipment is eligible for a deduction from the assessed value of that equipment for a period of one to ten years.
(CC Res. 2006-07, passed 5-4-06)

§ 36.34 TAX DEDUCTION - NEW RESEARCH AND DEVELOPMENT EQUIPMENT.

(A) *Application.* Pursuant to I.C. 6-1.1-12.1-5.5, the owner of property which has been declared to be an economic revitalization area and who desires to obtain the tax deduction provided by I.C. 6-1.1-12.1-4.5 for "new research and development equipment" must file a certified deduction application, on forms prescribed by the State Board of Tax Commissioners with the County Auditor and with the State Board of Tax Commissioners. A deduction application must be filed in the year in which the new research and development equipment is installed and in each of the following years for which phase-in is sought.

(B) *Length of deduction.* For projects for which the statement of benefits was approved July 1, 2000, or after except as provided in I.C. 6-1.1-12.1-4.5(g), an owner of new research and development equipment is eligible for a deduction from the assessed value of that equipment for a period of one to ten years.
(CC Res. 2006-07, passed 5-4-06)

§ 36.35 SUBSEQUENT STATEMENTS OF BENEFITS.

In the event that a business decides to initiate an additional investment which was not included in its tax phase-in application and is of the same type of investment (real estate improvements, new manufacturing equipment or research and development equipment) for which the economic revitalization area was designated and said designation is still in effect, the business shall submit a new statement of benefits form to the Department before initiating (as discussed in § 36.30) the additional investment. The Department shall prepare a resolution for County Council action to approve the subsequent statement of benefits.
(CC Res. 2006-07, passed 5-4-06)

§ 36.36 COMPLIANCE WITH STATEMENT OF BENEFITS.

(A) *Required submission.* Projects for which the statement of benefits was approved after June 30, 1991 are required by I.C. 6-1.1-12.1-5.1 and 5.6 to submit information showing the extent to which there have been reasonable efforts to substantially comply with the statement of benefits. Within 45 days from receipt of the information concerning compliance with a statement of benefits, the County Council may determine whether the property owner seeking tax phase-in has made reasonable efforts to substantially comply with the statement of benefits previously approved by the County Council.

(B) *Compliance review.* Upon receipt of Form CF-1 concerning compliance with a statement of benefits, the Department shall prepare a compliance review sheet comparing projected investment in real

estate, new manufacturing equipment and/or new research and development equipment and job retention and/or creation on the statement of benefits with actual investment and employment information supplied concerning compliance with the statement of benefits. If it does not appear that the taxpayer made reasonable efforts to substantially comply with the statement of benefits, the Department shall contact the taxpayer to obtain additional information as to the reasons that the taxpayer did not substantially comply with statement of benefits, whether the taxpayer made reasonable efforts to substantially comply, and whether any failure to comply was caused by factors beyond the control of the taxpayer. The Department shall transmit the compliance review sheet to the County Council President.

(C) *County Council review.* The County Council is responsible for reviewing the compliance review sheets; making determinations as to whether a taxpayer has made reasonable efforts to substantially comply with its statement of benefits; and holding hearings for those taxpayers who do not appear to have made reasonable efforts to substantially comply with their statement of benefits. If the County Council determines that the taxpayer has not made reasonable efforts to substantially comply with the statement of benefits, it shall establish a date for a compliance hearing. It is highly recommended that a representative for the taxpayer and/or legal counsel be present and prepared to speak about the compliance at each County Council meeting or hearing where taxpayer's compliance is on the agenda.

(D) *Hearing notice.* For those projects for which the County Council has established a compliance hearing date, the Department shall prepare a written notice which shall be sent to the taxpayer by Certified Mail, return receipt requested, and if the project includes new manufacturing equipment or research and development equipment, to the State Board of Tax Commissioners. Said notice shall include the information required by I.C. 6-1.1-12.1-5.9.

(E) *Resolution to terminate deduction.* For those projects for which a compliance hearing is scheduled, the Department shall prepare and file a resolution to terminate deduction.

(F) *Compliance hearing.* On the scheduled hearing date the County Council shall conduct a compliance hearing to determine whether the property owner has made reasonable efforts to substantially comply with the statement of benefits and whether any failure to comply was caused by factors beyond the control of the taxpayer.

(G) *County Council determination.*

(1) If the County Council determines that the taxpayer did not make reasonable efforts to substantially comply with the statement of benefits and that such failure to comply was not caused by factors beyond the control of the taxpayer, the County Council shall terminate the deduction.

(2) If the County Council determines that the taxpayer did make reasonable efforts to substantially comply with the statement of benefits or that failure to comply was caused by factors beyond control of the taxpayer, the County Council shall make a "Do Pass" not to terminate the deduction.

(H) *County Council action.* If the resolution to terminate the deduction is adopted by the County Council, the Department shall transmit copies of the resolution to the taxpayer, the County Auditor and, if the deduction was for new manufacturing equipment, to the State Board of Tax Commissioners.
(CC Res. 2006-07, passed 5-4-06)

CHAPTER 37: FUNDS AND FEES

Section

Funds

- 37.01 Bridge Fund
- 37.02 County Corrections Fund
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- Drug and Alcohol User Fee Fund, see § 37.21*
- Sex and Violent Offender Administration Fund, see § 32.04*
- Stormwater Revenue Fund, see § 55.08*

FUNDS

§ 37.01 BRIDGE FUND.

(A) There is established a cumulative Bridge Fund to provide funds for the cost of construction, maintenance and repair of bridges, approaches and grade separations. Additionally, said funds may be utilized for making county wide bridge inspection and safety ratings of all bridges in the county not on the state highway system.

(B) There is levied an additional tax of \$.10 on each \$100 of taxable real and personal property within the county to provide monies for the fund, the tax to be levied in 1993, payable in 1994, and annually thereafter for the next succeeding four consecutive years or until reduced or rescinded as provided by I.C. 8-16-3.

(BC Res. 1993-8, passed 6-28-93)

§ 37.02 COUNTY CORRECTIONS FUND.

(A) The Board of Commissioners, as the county legislative body, hereby elects to receive deposits from the Department of Corrections in accordance with Indiana Code.

(B) The Board of Commissioners hereby elects to receive such deposits at Level 3 funding.

(C) There is hereby created a County Corrections Fund to be administered by the Common Council. The funds shall consist of deposits received from the Department of Corrections in accordance with I.C. 11-12-6.

(D) The County Corrections Fund may be used only for funding the operation of county jail, jail programs, or other local correctional facilities. Any money remaining in a County Corrections Fund at the end of the year does not revert to any other fund, but remains in the County Corrections Fund.
(BC Ord. 1997-2, passed 1-27-97; Am. BC Ord. 2000-1, passed 1-10-00)

§ 37.03 COUNTY DRUG FREE COMMUNITY FUND.

(A) The office of the Prosecuting Attorney for the Second Judicial District, commonly known as the County Prosecutor's office qualifies hereunder as an agency.

(B) The County Prosecutor's office is hereby designated as the agency to which funds shall be allocated from the County Drug Free Community Fund on the following basis:

(1) Twenty-five percent to provide prevention, and education services in the county.

(2) Twenty-five percent to provide criminal justice services in the county.

(3) Twenty-five percent being the uncommitted funds, to be used for purposes accepted under the act.

(C) The designated Prosecuting Attorney's Office for the Second Judicial District, shall make application to the county Fiscal Body, being the County Council for the appropriation of the funds, that from time to time, are needed to carry out the designation herein.

(D) The designation in the ordinance herein specifically excludes designation of any agency to receive the 25% of the money in the funds to provide treatment.

(BC Ord. 1990-22, passed 7-23-90)

§ 37.04 SHERIFF'S DEPARTMENT ENFORCEMENT AID FUND.

(A) There is hereby created within the county a Sheriff's Department Enforcement Aid Fund.

(1) The fund shall consist of deposit in the form of cash assets obtained pursuant to forfeiture proceedings and other law enforcement related seizures recovered by the Sheriff's Department which are not required to be deposited into the County General Fund. No criminal defendant shall be given a reduced sentence as a result of the forfeiture of any assets.

(2) The fund shall also consist of any monies that may be appropriated from time to time by the County Council to be utilized by the Sheriff's Department, in its enforcement of the laws of the state.

(3) The fund shall also consist of any orders of restitution of "buy money" as might be expended by the Sheriff's Department in the enforcement of the narcotics and controlled substances laws of the state.

(B) Monies in the Sheriff's Department Enforcement Aid Fund shall be subject to appropriation in accordance with I.C. 36-2-5-2.

(C) It is the stated intent of the Board of Commissioners in creating this fund, that the Sheriff's Department shall have the right to utilize the funds contained within the Sheriff's Department Enforcement Aid Fund in the pursuit of all lawful law enforcement activities including but necessarily limited to the payment of money to informants; the utilization of funds to purchase controlled substances as a part of a law enforcement investigation; the payment of legitimate expenses incurred in confidential controlled

substance investigation and similar type expenditures, and the purchase of enforcement and/or office equipment, or related expenses that will aid in the investigative process as deemed necessary by the Sheriff.

(D) Before utilization of funds in the confidential investigation purpose, the Sheriff's Department shall establish a standard operating procedure and policy for the accounting for said funds.

(E) This section shall be in full force and effect from and after its passage and compliance with I.C. 36-2-4-8.
(BC Ord. 1992-3, passed 1-27-92; Am. BC Ord. 2004-17, passed 12-15-04)

§ 37.05 SOLID WASTE DISPOSAL FUND.

(A) There is hereby created a Solid Waste Disposal Non-Reverting Capital Fund.

(B) The capital for such fund shall consist of the following:

(1) Deposits by the Board of Commissioners of the revenues of its facility that remain after the payment of expenses, in an amount determined the Common Council upon the recommendation of the Board of Commissioners; and

(2) Appropriations of money derived from user fees in an amount determined by the fiscal body.

(C) After an appropriation by the Common Council, the Board of Commissioners may use the capital in said fund for the following:

(1) Acquisition of property and other rights;

(2) Installation, construction, equipping, expanding, modifying, or remodeling new or existing facilities; or

(3) Engineering, legal, surveying, estimating, appraising, planning, designing, and other expenses necessary to determine the feasibility of implementing solid waste disposal methods.
(BC Res. 1986-5, passed 6-13-86; Am. CC Ord. 1986-5, passed 7-10-86)

§ 37.06 BUILDING CONSTRUCTION, REHABILITATION, AND MAINTENANCE FUND.

(A) Immediately upon the reimbursement of the enhanced emergency telephone system funds into the County General Fund, an amount equivalent to said reimbursed funds shall be appropriated by the County Council into the budget item identified as the County Non-reverting Building Fund, and contained in the Commissioners' budget. Upon approval of said appropriation, the entire said amount shall immediately be transferred to a separate fund herein described and entitled Warrick County Building Construction, Rehabilitation and Maintenance Fund.

(B) Said funds shall without further appropriation be used solely for construction, rehabilitation, and/or maintenance of any and all county buildings as so designated and approved by the County Commissioners.

(C) Said funds shall be non-reverting, and shall remain from year to year in the County Building Construction, Rehabilitation and Maintenance Fund.
(BC Ord. 1998-13 passed, 10-13-98)

§ 37.07 PARKS AND RECREATION NON-REVERTING CAPITAL FUND.

(A) Now therefore be it ordained by the County Council that there is hereby established a special non-reverting capital fund within the County for the Department of Parks and Recreation. Said fund shall be funded by the proceeds from the sale of any real

property owned by the County in the name of the Department of Parks and Recreation. Further, said fund shall be utilized exclusively for park purposes from which expenditures may be made by appropriation by the County Council. (BC Ord. 1998-5, passed 11-5-98)

§ 37.08 PARKS AND RECREATION NON-REVERTING OPERATING FUND.

(A) Now therefore be it ordained by the County Council that there is hereby established a special non-reverting operating fund within the county for the Department of Parks and Recreation which said fund shall be utilized exclusively for park purposes from which expenditures may be made by appropriation by the Park Board. Funding for the non-reverting operating fund shall be from the proceeds of the sale of real property by the Park Board or from appropriations by the County Council. The balance of said fund shall not exceed the sum of \$100,000. Any appropriation for an expenditure in excess of \$10,000 shall require the approval of the County Council in addition to the Park Board.

(BC Ord. 1998-4, passed 11-5-98)

§ 37.09 SALES DISCLOSURE FUND.

(A) Effective from and after its passage and execution by the members of the County Council, this section shall establish a sales disclosure fund in accordance with I.C. 6-1.1-5.5-4.5.

(B) The County Auditor shall deposit the monies received under I.C. 6-1.1-5.5-4 into this fund.

(C) The disbursement of money from this fund shall be in accordance with and for the purposes identified in I.C. 6-1.1-5.5-4.5.

(CC Ord. 2002-01, passed 10-3-02)

§ 37.10 COMMISSIONERS MEETING ROOM FUND.

(A) There is hereby established a special non-reverting operating fund within the county for the

Commissioners meeting room which said fund shall be utilized exclusively for purposes of renovating and maintaining the Commissioners' meeting room in the County Courthouse and from which expenditures may be made by an appropriation by the Board of Commissioners.

(B) Funding for the non-reverting operating fund shall be from donations from persons, including, but not limited to individuals, partnerships, corporations and the like, which are specifically designated for the purpose of renovating and/or maintaining the Commissioners' meeting room.

(BC Ord. 2002-5, passed 4-17-02)

§ 37.11 RAINY DAY FUND.

(A) *Funding of the Rainy Day Fund.* A Warrick County "Rainy Day Fund" has been established to receive transfers of unused and unencumbered funds raised by a general or special tax levy on taxable property within the county whenever the purpose of such tax levy has been fulfilled and an unused and unencumbered balance remains, including those funds allowable under I.C. §§ 36-1-8-5 and 6-3.6-9-15, or any other funding source specified in a resolution that is adopted by the County Council under I.C. § 36-1-8-5.1 and not otherwise prohibited by law.

(B) *Purposes of the fund.* The funds, on deposit in the Rainy Day Fund, may be used for the operation of Warrick County and its various departments, including, but not limited to, salaries and wages, costs of services, supplies, equipment, capital improvements, repairs and similar expenditures.

(C) *Appropriations.* The Warrick County Council may authorize the expenditure of funds from the Rainy Day Fund, by appropriations made in the same manner as other funds are appropriated that receive tax moneys, upon making a finding that the proposed use of the funds is consistent with the intent of the Rainy Day Fund.

(CC Ord. 2003-02, passed 11-6-03; Am. CC Ord. 2004-01, passed 2-5-04; Am. CC Ord. 2016-01, passed 10-6-16)

§ 37.12 RECORDER'S ENHANCED ACCESS FUND.

(A) *Established.* Pursuant to I.C. 5-14-3-8.3, the County Council hereby establishes the County Office of the Recorder's Enhanced Access Fund ("Enhanced Access Fund").

(B) *Funding.* The Enhanced Access Fund shall consist of fees charged by the Recorder for providing enhanced access to a public record in accordance with I.C. 5-14-3-8(h) and (i), and shall be subject to the appropriation by the County Council.

(C) *Use of funds.* In accordance with Indiana Code 5-14-3-8.3(b) all funds collected in the Enhanced Access Fund shall be specifically dedicated to the following purposes:

(1) The replacement, improvement and expansion of capital expenditures; and

(2) The reimbursement of operating expenses incurred in providing enhanced access to public information.
(CC Ord. 2008-01, passed 5-1-08)

§ 37.13 ANIMAL CONTROL CHARITABLE FUND.

(A) *Creation of County Animal Control Charitable Fund.* County Animal Control is hereby authorized to create a new charitable fund ("Charitable Fund"), whereby monetary charitable donations made payable to "Warrick County Animal Control" shall be placed in the Charitable Fund. The purpose of this Charitable Fund is to provide residents of the county with the ability to make donations to the County Animal Control Department, to support and maintain its services which it provides to the residents of the county.

(B) *Duration.* The Charitable Fund shall be perpetual until terminated by another subsequent ordinance enacted by the Board of County Commissioners. In the event the Charitable Fund is

terminated for any reason, then all proceeds from the terminated fund shall be distributed to the County Humane Society.

(BC Ord. 2014-10, passed 3-24-14)

§ 37.14 WELFARE BEQUEST FUND.

(A) The Welfare Bequest Fund is hereby established for Warrick County, an unrestricted fund with the Warrick County Community Foundation, to be funded with the unclaimed deposits with People's Bank and Trust of Boonville.

(B) The Fund shall be used to grant monies to benefit the general health, well-being and needs of county residents as deemed appropriate by the Warrick County Community Foundation.

(C) The President of the Board of Commissioners shall enter into a fund agreement with the Foundation for the establishment of the Fund.

(D) The County Treasurer and County Auditor are hereby authorized to take all steps necessary to transfer the monies and take any other necessary and reasonable steps to complete the intent and purposes of this section.

(BC Res. 2015-06, passed 3-9-16)

§ 37.15 COUNTY CONGRESSIONAL TOWNSHIP SCHOOL FUND.

(A) The Council finds that the fund, in its entirety, shall be surrendered to State of Indiana;

(B) Pursuant to I.C. § 20-42-2-4.5, by adoption of this Resolution, the Board of Warrick County Commissioners, the Warrick County Auditor, and the Warrick County Treasurer shall take all steps necessary to surrender the custody of the fund to the treasurer of the State of Indiana;

(C) Pursuant to I.C. § 20-42-2-4.5(b), within ten days after the passage of this section by the Council,

the Warrick County shall prepare and file with the Board of Warrick County Commissioners a report (the "Report") showing the following:

(1) The total amount of the fund that has been entrusted to and is held in trust by Warrick County;

(2) The total amount of the fund that is loaned as provided by law;

(3) The total amount of the fund, if any, loaned to Warrick County and which loans are unpaid;

(4) The total amount of the fund held in cash in the possession and custody of Warrick County and that is not loaned; and

(5) A separate schedule of past due loans showing the unpaid balance of principal and the amount of delinquent interest due and unpaid on each delinquent loan.

(D) (1) Pursuant to I.C. § 20-42-2-4.5(c), the Board of Warrick County Commissioners shall examine the report, and, if found correct, the Board of Warrick County Commissioners shall order:

(a) That the report be entered on its records; and

(b) The Warrick County Auditor to draw the Warrick County Auditor's warrant, payable to the treasurer of the State of Indiana, for the amount of the fund that is not loaned and is held in cash in the custody and possession of Warrick County as shown by the report.

(2) The Warrick County Auditor shall forward the warrants to the Auditor of the State of Indiana together with a certified copy of the report. The Warrick County Auditor shall also forward with the payment a certified copy of this section electing to surrender the custody of the fund, in its entirety.

(E) Pursuant to I.C. § 20-42-2-4.5(d), after passage by the Council of this section, no part of the

fund may be loaned by Warrick County or by any official of Warrick County. Except as provided in I.C. § 20-42-2-4.5(d), all outstanding loans of the fund, if any, not part of the amount retained by Warrick County at the time of the passage of this section shall be collected when due. Any loan that comes due and payable after the passage of this section may be renewed for one additional five year period, on the application of the person owing the loan as provided by law. However, a loan that is more than one year delinquent in payment of principal or interest at the time of the passage of this resolution of the Council may not be renewed.

(F) Pursuant to I.C. § 20-42-2-4.5(e), on May 1 or November 1 immediately after the passage of this resolution and each May 1 and November 1 thereafter, all the money collected and on hand that belongs to the fund that is to be surrendered shall be paid to the treasurer of the state. If at the time for a semiannual payment the amount collected and paid to the treasurer of the state when added to the amounts previously paid to the treasurer of the state is less than the result determined by multiplying 2.5% of the amount in this section by the number of semiannual payments that have occurred after the passage of this section, the Warrick County Auditor shall draw the Warrick County Auditor's warrant on the general fund of Warrick County for an amount sufficient to pay to the treasurer of the state the difference between the amount paid and the amount equal to the result of multiplying 2.5% of the amount designated in this section by the number of semi-annual payments that have occurred after the passage of this section. The maximum time to surrender money that Warrick County designates in this section is for a period not to exceed 20 years.

(CC Res. 2016-03, passed 10-6-16)

§ 37.16 INFRACTION DEFERRAL AND PRETRIAL DIVERSION PROGRAMS FUND.

(A) There is hereby established a special fund to be designated as the "Infraction Deferral and Pretrial Diversion Programs Fund," in the Office of the Warrick County Prosecutor. This fund shall be a continuing, non-reverting fund, with all balances

remaining therein at the end of each year. Such balances shall not lapse into the Warrick County's general fund, or ever be directly or indirectly diverted in any manner to uses other than those stated in this section.

(B) All service fees and charges which are collected in the administration of the Warrick County Prosecutor's infraction deferral and pretrial diversion programs shall be deposited in the Infraction Deferral and Pretrial Diversion Programs Fund.

(C) The Infraction Deferral and Pretrial Diversion Programs Fund shall be administered by the Warrick County Prosecutor, and all funds deposited therein shall be appropriated and used solely for the use and benefit of the Warrick County Prosecutor's Office and the Warrick County Prosecutor not inconsistent with this section.

(D) The funds derived from the Warrick County Prosecutor's infraction deferral program and the Warrick County Prosecutor's pretrial diversion program and deposited into the Infraction Deferral and Pretrial Diversion Programs Fund may only be disbursed to I.C. § 33-39-8-5 and for one or more of the following purposes:

(1) Personnel expenses related to the operation of the program.

(2) Special training for:

(a) A prosecuting attorney;

(b) A deputy prosecuting attorney;

(c) Support staff for a prosecuting attorney or deputy prosecuting attorney; or

(d) A law enforcement officer.

(3) Employment of a deputy prosecutor or prosecutorial support staff.

(4) Victim assistance.

(5) Electronic legal research.

(6) Office equipment, including computers, computer software, communication devices, office machinery, furnishings and office supplies.

(7) Expenses of a criminal investigation and prosecution.

(8) An activity or program operated by the prosecuting attorney that is intended to reduce or prevent criminal activity, including:

(a) Substance abuse;

(b) Child abuse;

(c) Domestic violence;

(d) Operating while intoxicated; and

(e) Juvenile delinquency.

(9) The provision of evidence based mental health and addiction, intellectual disability, developmental disability, autism and co-occurring autism and mental illness forensic treatment services to reduce the risk of recidivism in a program administered or coordinated by a provider certified or licensed by the division of mental health and addiction or the division of disability and rehabilitative services with expertise in providing evidence based forensic treatment services.

(10) Any other purpose that benefits the office of the prosecuting attorney or law enforcement and that is agreed upon by the Council and the prosecuting attorney.

(E) The funds collected by the Warrick County Prosecutor's Office through its deferral and pretrial diversion programs may be used only in accordance with guidelines adopted by the prosecuting attorneys counsel under I.C. § 33-39-8-5.

(BC Ord. 2017-11, passed 4-24-17; Am. CC Ord. 2017-03, passed 10-5-17)

MISCELLANEOUS FEES**§ 37.35 SUPPLEMENTAL DOCUMENT RECORDING FEE.**

(A) A supplemental fee for recording a document in the amount of \$3 per document shall be charged by the County Recorder's Office which shall be paid at the time of recording.

(B) The supplemental recording fee is in addition to all other recording fees required by law for services rendered by the County Recorder's Office.

(C) Pursuant to I.C. 36-2-7-10(c) the supplemental recording fee shall be placed in the Recorder's Records Perpetuation Fund, along with the fees collected per I.C. 36-2-7-10(b)(5), 36-2-7-10(b)(6), and 36-2-7-10(b)(9), to be used by the County Recorder without appropriation, for the preservation of records and the improvement of recordkeeping systems and equipment.

(D) The County Recorder shall post the fee set forth in this section in a prominent place within the Recorder's Office where the fee schedule is readily accessible to the public.

(BC Ord. 1995-18, passed 9-11-95)

§ 37.36 SERVICE CHARGE FOR INSUFFICIENT FUNDS CHECKS.

(A) For all checks payable to the county or one of its offices returned for insufficient funds the county shall charge an insufficient fund check charge in an amount not to exceed the greater of \$20 or 5% of the amount of any insufficient fund check, but in no event shall said service charge exceed the sum of \$250 for any one check.

(B) All insufficient fund check charges received by the county or one of its officers shall be deposited in the General Fund of the county.

(BC Ord. 1992-21, passed 8-3-92)

§ 37.37 REAL PROPERTY ENDORSEMENT FEES.

(A) The County Auditor is hereby authorized to collect a fee of \$5 for each real property endorsement made by the Auditor in accordance with Indiana law.

(B) The fee herein authorized shall be in addition to any other fee provided by law.

(C) The County Auditor shall place all revenues received in accordance with the fee herein authorized in a dedicated fund for use of maintaining the county plat books.

(BC Ord. 1989-15, passed 8-7-89; Am. BC Ord. 2006-19, passed 12-20-06)

§ 37.38 VITAL RECORDS FEES.

(A) *Birth record fees.* A fee of \$15 for the first certified copy of a birth record shall be required per order with all subsequent copies within the same order being \$10 per copy. All funds hereunder shall be collected by the Health Officer and shall become a part of the Warrick County Health Fund.

(B) *Death record fees.* A fee of \$15 for the first certified copy of a death record shall be required per order with all subsequent copies within the same order being \$10 per copy. The funds shall be collected by the Health Officer with the first \$2 of the funds received from each copy hereunder being deposited in accordance with I.C. 16-37-1-9(b) (coroners continuing education fees) and the balance of the funds collected by the Health Officer shall become a part of the Warrick County Health Fund.

(C) *Paternity affidavit fees.*

(1) A fee of \$10 shall be required for each certified copy of a requested paternity affidavit that does not involve its completion or execution at the Health Department.

(2) For each paternity affidavit completed or executed at the Health Department, a fee of \$50 shall be required. The fee of \$50 described in this division is separate and independent from the \$10 fee established in division (1) above.

(3) All funds assessed hereunder shall be collected by the Health Officer and shall become a part of the Warrick County Health Fund.

(D) *Computer generated reports.* A fee of \$1 per information page printed on the computer for genealogy purposes shall be required. All funds hereunder shall be collected by the Health Officer and shall become a part of the Warrick County Health Fund.

(BC Ord. 1991-14, passed 7-22-91; Am. BC Ord. 1997-13, passed 9-8-97; Am. BC Ord. 2005-04, passed 4-20-05; Am. BC Ord. 2010-09, passed 7-26-10; Am. BC Ord. 2013-19, passed 7-22-13)

§ 37.39 FEES FOR ACCIDENT REPORTS.

The office of the County Sheriff is authorized to institute a charge of \$5 for each request for a copy of an accident report pursuant to I.C. 9-29-11-1.
(CC Ord. 2006-1, passed 4-13-06)

§ 37.40 FEES FOR ELECTRONIC MAP DATA.

(A) *Title and definitions.*

(1) This section and any parts herein shall be known as the Warrick County Electronic Map Ordinance.

(2) In accordance with I.C. 5-14-3-2, **PERSON** as used in this section is defined as an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity, and **ELECTRONIC MAP DATA** as used in this section is defined as copyrighted data created and provided by a public agency from an electronic geographic information system.

(B) *Fee schedule.*

(1) Pursuant to I.C. 5-14-3-8(j) the county may charge a fee, uniform to all persons, for providing electronic map data that is based upon a reasonable percentage of the county's direct cost of maintaining, upgrading and enhancing the electronic map and for the direct cost of supplying the electronic map in the form requested by the person(s).

(2) In the case where disclosable and nondisclosable electronic map data are combined, I.C. 5-14-3-6 provides that the county may charge a reasonable fee for the county's direct cost of computer programming to separate disclosable from nondisclosable electronic map data.

(3) It is hereby established by the County Commissioners and County Council that the initial fee schedule for the transmission of electronic map data is as set forth in an attached fee schedule that is incorporated by reference herein.

(4) If the county contracts with a third party contractor to handle the transmission of county electronic map data, the third party contractor shall receive two-thirds, and the county one-third of the fees charged the person for electronic map data. This fee schedule shall be reviewed on an annual basis and may be changed on an annual basis to reflect the change in the cost in providing the electronic map data.

(C) *Exceptions to fee schedule.*

(1) Pursuant to I.C. 5-14-3-8(k) any public agency, as defined by I.C. 5-14-3-2, located within the county or within adjacent counties that agrees to share with the county any electronic map information that that public agency might have, if any, that is of the same type as is being shared by the county, the county will agree to automatically approve a data sharing application with that public agency and waive that portion of the electronic map fee that would otherwise be retained by the county.

(2) Pursuant to I.C. 5-14-3-8(k) the county's retained portion of the electronic map fee shall be waived at the county's discretion if the use of the electronic map data will be used for a noncommercial purpose, including the following: public agencies that do not agree to share with county the same type of electronic map data being provided by the county, nonprofit activities, journalism, and/or academic research.

(D) Third party contractor.

(1) In accordance with I.C. 5-14-3-3.6, electronic map information may be provided to person(s) through the county's own computer gateway, or by agreement through a computer gateway of a third party contractor. Indiana Code 5-14-3-3.6(e) provides that a contract entered into under this section may require the payment of a reasonable fee to either the third party contractor, the county, or both.

(2) In accordance with I.C. 5-14-3-4, neither the county nor the third party contractor shall disclose electronic map data that is specifically excepted from disclosure requirements.

(E) *Payment.* Where the county is using its own computer gateway for the provision to person(s) of electronic map data, payment shall be made by the person(s) at the time of delivery. Where the county has entered into an agreement with a third party contractor to provide electronic map data through the third party contractor's computer gateway, the third party contractor shall handle the billing and invoicing of the fees charged and shall agree to send by U.S. mail that portion of the fee due the county to the county's Electronic Map Generation Fund within ten business days of the receipt of payment of fees to the third party contractor by the person(s) making the purchase.

(F) *Compliance with state statutes.* Nothing herein shall compel any office or their contracted third party contractor to charge a fee for copies if the fee imposed by this section is contrary to state law. In the

event the fees in this section are contrary to any charges established by state statute, the state statute shall apply.

(G) Use restrictions and notice.

(1) Pursuant to the provisions of I.C. 5-14-3-3(e), no person, other than those authorized in writing by the Board of Commissioners, may use the electronic map data provided by the county for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by request to any other person for these purposes. This includes the repackaging or assimilation of electronic map data for a commercial purpose in paper or electronic media.

(2) A person who uses information in a manner contrary to this section or a rule or ordinance adopted under I.C. 5-14-3-3 may be prohibited by the county from obtaining any electronic map data.

(3) The following notice regarding data ownership, restrictions, and qualifications shall be provided to every person that receives a copy of the county's electronic map data.

"Warrick County electronic map data is the property of Warrick County, Indiana. All electronic map data supplied by Warrick County has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The County does not guarantee the positional or thematic accuracy of the data. The cartographic digital file server is not a legal representation of any of the features depicted, and the County disclaims any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be and/or expressly excluded. The data represents an actual reproduction of data contained in the County's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. Therefore, the County

cannot be held liable for errors or omissions in the data. The recipient's uses and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify Warrick County and its employees and officers. This indemnity covers reasonable attorney's fees and all court costs associated with the defense of Warrick County arising out of this disclaimer. The recipient may copy this data into computer memory or onto computer storage devices and prepare derivative works from it for the recipient's own use. Pursuant to the provisions of Indiana Code 5-14-3-3(e), no person, other than those authorized in writing by the Board of Commissioners may use the electronic map data provided by the County for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by request to any other person for these purposes. A person who uses information in a manner contrary to a rule or ordinance adopted under Indiana Code 5-14-3-3(e) may be prohibited by the Board of Commissioners from obtaining any electronic map data.

Please refer to Warrick County Ordinance 200__-___ for any other restrictions on the use of electronic map data or penalties for the misuse electronic map data."

(4) A copy of the language contained in this section shall be conspicuously posted in all offices where electronic map data is sold in the county, and shall be provided to any person(s) (as defined by I.C. 5-14-3-2) who desires to purchase electronic map data from the county.

(H) *Use violation penalty.*

(1) Any person(s) who violates the terms and conditions of this section by failing to pay for purchased electronic map data shall be liable for total fee charged for the electronic map data plus attorney's fees and the cost of collection.

(2) Any person(s) who violates the restrictions on the use of electronic map data as set forth in division (G) of this section shall be guilty of an infraction and may be fined by the county up to

\$2,500, and each violation shall be deemed a separate offence. Also, in the event that there is an improper use of electronic map data as set forth in division (G) of this section or in violation of state or federal law, the county may prohibit the person(s) (as defined by I.C. 5-14-3-2) from obtaining any electronic map data and seek injunctive relief from any misuse of electronic map data by the person(s) who originally purchased the electronic map data or any other person(s) who has received a copy of the electronic map data.

(I) *Electronic Map Generation Fund.* Pursuant to I.C. 5-14-3-8.5, the County Council hereby establishes the Electronic Map Generation Fund. The Electronic Map Generation Fund shall consist of fees charged for providing electronic map data to person(s) in accordance with I.C. 5-14-3-8(j) and be subject to the appropriation by the County Council. In accordance with I.C. 5-14-3-8.5(b), all funds collected in the Electronic Map Generation Fund shall be specifically dedicated to the following purposes:

(1) The maintenance, upgrading, and enhancement of the electronic map.

(2) The reimbursement of expenses incurred by a public agency in supplying an electronic map in the form requested by the person(s).

(J) *Dispute resolution.* Any person who has a dispute, or seeks relief from the terms of this section may seek resolution of that dispute or relief from the Board of Commissioners.

(BC Ord. 2006-18, passed 1-4-07; CC Ord. 2007-1, passed 1-4-07)

§ 37.41 ADDITIONAL FELONY AND MISDEMEANOR FEES.

(A) The Board of Commissioners, pursuant to the Indiana Home Rule Act and other authority, now establishes a local fee of \$10, which shall be added as a part of the costs in all felony and misdemeanor cases in which a defendant is found guilty of one or more offenses EXCEPT in those cases in which a defendant

has been found guilty of one or more offenses under I.C. 35-48-4 (Controlled Substances), I.C. 16-42-19 (Legend Drug Act), I.C. 9-30-5 (OVWI), I.C. 9-30-6-8.7 (violation of Ignition Interlock), and I.C. 7.1-5 (Alcoholic Beverages).

(B) The Board of Commissioners, pursuant to the Indiana Home Rule Act and other authority, now establishes a local fee of \$50, which shall be added as a part of the costs in all felony and misdemeanor cases in which a defendant is found guilty of one or more offenses under I.C. 35-48-4 (Controlled Substances), I.C. 16-42-19 (Legend Drug Act), I.C. 9-30-5 (OVWI), I.C. 9-30-6-8.7 (violation of Ignition Interlock), and I.C. 7.1-5 (Alcoholic Beverages).

(C) The Clerk of the Warrick Circuit and Superior Courts shall assess and collect the \$10 fee and the \$50 fee, in addition to other local and statutory fees, and shall deposit the fee in the Drug and Alcohol User Fee Fund (which at present, is Fund 379 in the County Auditor's Office). (BC Ord. 2011-18, passed 7-25-11)

Editor's note:

BC Ord. 2012-30, passed 9-19-12, suspends § 37.21 pending final determination of the validity of the same.

§ 37.42 RECORDER'S OFFICE FEES.

(A) For the purpose of this section, **DOCUMENT** or **DOCUMENTS** shall include, but not be limited to, any deed, ordinance, resolution, certificate of sale, easement vacations, grants of rights-of-way and easements under condemnation proceedings, street acceptances and vacations, sidewalk acknowledgments, surveyor's affidavits, address affidavits, hold harmless acknowledgments, and any other recordable instrument required to be recorded in the Office of the County Recorder from time to time by the county and any of its departments.

(B) The Office of the County Recorder shall exempt official offices of the county, including the Area Plan Commission, Redevelopment Commission,

Board of Commissioners, County Council and any other department or office, from the payment of any fee for recording documents required by law, regulation, rule, or otherwise to be recorded.

(C) County offices and departments shall submit any documents for recording in full compliance with all recording requirements as may be expressed in the Indiana Code or corresponding regulations. (BC Ord. 2014-23, passed 8-11-14)

§ 37.43 BULK FORM ACCESS TO COUNTY RECORDER DOCUMENTS.

(A) *Definitions.* The definitions set forth in I.C. 36-2-7-10.1 are hereby incorporated and include, without limitation, the following:

BULK FORM COPY or **BULK FORM COPIES.** An aggregate of:

(a) Copies of all recorded documents received by the County Recorder for recording in a calendar day, week month, or year;

(b) The indices for finding, retrieving, and viewing all recorded documents received by the County Recorder for recording in a calendar day, week, month, or year; or

(c) Both clauses (a) and (b).

BULK FORM USER. An individual, corporation, partnership, limited liability company, or unincorporated association that receives bulk form copies under a contract with the County Recorder.

COPY or **COPIES.** A reproduction, including an image of a recorded document or indices created by:

(a) Duplicating electronically stored data onto a disk, tape, drum, or any other medium of electronic data storage; or

(b) Reproducing on microfilm.

INDICES. All of the indexing information used by the County Recorder for finding, retrieving, and viewing a recorded document.

RECORDED DOCUMENT. A writing, paper, document, plat, map, survey, or anything else received at any time for recording or filing in the public records maintained by the County Recorder or the County Recorder's designee.

(B) *County Recorder designee.* The County Recorder may use the services of a third-party designee to provide bulk form copies to bulk form users under this section.

(C) *Manner and form of bulk form copies.* The County Recorder or the County Recorder's designee may provide bulk form copies to a bulk form user on a disk, tape, drum, or any other medium of electronic data storage or microfilm or by electronically transmitting the copies using an electronic transfer process or any combination thereof. The decision as to the manner of providing copies under this division shall be at the discretion of the County Recorder.

(D) *Watermark on bulk form copies.* The County Recorder or the County Recorder's designee shall watermark all bulk form copies with the following statement:

Image Property of Warrick County, IN
For license only - not for resale
per I.C. 36-2-7-10.1(c).
Official copies may be obtained at the Warrick
County Recorder's Office.

(E) *Written request of bulk form copies.* A bulk form user must submit a written request identifying the requested copies with a reasonable particularity in order to receive bulk form copies from the County Recorder or the County Recorder's designee.

(F) *Contract for bulk form copies.*

(1) A bulk form user must enter into a contract with the County Recorder prior to receiving

bulk form copies that is in compliance with the requirements of this section I.C. 36-2-7-10.1 and must require that the bulk form user agree not to:

(a) Except as provided in I.C. 36-2-7-10.1(h), provide, transfer, or allow the transfer of any copy of a recorded document obtained by the bulk form user under this section to a third party;

(b) Engage in unauthorized access to recorded documents; and

(c) Engage in the unauthorized alteration of recorded documents.

(2) If a bulk form user violates its contract entered into with the County Recorder under this section, the County Recorder or the County Recorder's designee may terminate such contract and refuse subsequent bulk form copy requests under the conditions set forth in I.C. 36-2-7-10.1(j).

(G) *Prohibited actions of bulk form user.* Except as permitted under I.C. 36-2-7-10.1(h), a bulk form user is prohibited from selling, offering for sale, advertising for sale, soliciting a purchase of loaning, giving away, allowing subscription service to, or otherwise transferring providing, or allowing the transfer of bulk form copies for commercial purposes to a third party, whether the copies are in bulk form or individual copies or images.

(H) *Bulk form copy fee.* Having determined that the costs of producing bulk form copies exceeds \$0.10 per page, the fee for producing bulk form copies shall be \$0.15 per page for a bulk form copy of a recorded document, including the instrument's book and page, if applicable, and \$0.15 per recorded document for a copy of the indices used by the County Recorder for finding, retrieving, and viewing a recorded document. Any revenue generated under this section shall be deposited in the County Recorder's records perpetuation fund, used by the County Recorder in accordance with I.C. 36-2-7-10(f), and otherwise comply with the requirements of the I.C. 36-2-7-10.1(f).

(I) *Civil fine for violation of this section.* In addition to any contractual remedies the County Recorder or the County Recorder's designee may have a bulk form user who violates this section shall also be subject to a civil fine of not more than \$2,500 per violation.

(BC Ord. 2017-34, passed 12-11-17)

CHAPTER 39: COUNTY POLICY

Section

General Provisions

- 39.01 County motto
- 39.02 Mass fatalities plan
- 39.03 No smoking areas
- 39.04 Excessive force policy
- 39.05 Auditor payment of bills and claim voucher process
- 39.06 Authorizing credit card and debit card transactions
- 39.07 Security of county facilities
- 39.08 Public records requests
- 39.09 Restricted access policy
- 39.10 Internal control standards

Judicial Center and Courthouse Square

- 39.15 Certain activities prohibited
- 39.16 Deadly weapons prohibited
- 39.99 Penalty

Cross-reference:

Leasing of real property, see Ch. 152

GENERAL PROVISIONS

§ 39.01 COUNTY MOTTO.

(A) *Text of county motto.* It is hereby established that the official motto of the county is "In God We Trust."

(B) *Display of county motto.*

(1) The text "In God We Trust" shall be prominently displayed on the wall behind the

Commissioners in the Board of Commissioners' Meeting Room.

(2) The text "In God We Trust" is hereby encouraged to be publicly and prominently displayed in all county buildings.
(BC Ord. 2014-31, passed 12-22-14)

§ 39.02 MASS FATALITIES PLAN.

The County Mass Fatalities Plan, adopted by BC Res. 1996-8, passed 10-28-96, is hereby adopted by reference and made a part of this code the same as if set forth in full herein.
(BC Res. 1996-8, passed 10-28-96)

§ 39.03 NO SMOKING AREAS.

(A) To protect the health and safety of county employees, patrons, visitors, the general public and pursuant to I.C. 7.1-5-12, the Commissioners have determined that smoking shall be prohibited in, and within 30 feet of any entrance to and exit from, any and all facilities owned, leased, operated or occupied by the County Board of Commissioners or any other county department, agency or office. Smoking shall also be prohibited on all county owned stairways, ramps and sidewalks providing access to the foregoing facilities.

(B) The public official in charge of each facility described in division (A) of this section shall post at each entrance "County Ordinance Prohibits Smoking within 30 Feet of this Entrance."

(C) Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

(D) A person who smokes in an area where smoking is prohibited by this section commits prohibited smoking, a Class B infraction. However, a person who smokes in an area where smoking is prohibited by this chapter commits prohibited smoking, a Class A infraction if the person has been adjudged to have committed at least three prior unrelated infractions under this section or I.C. 16-41-37-4 (before its repeal).

(E) The responsibility to enforce this policy lies with the elected officials, department heads, Commissioners, County Administrator and the County Sheriff and his or her deputies.

(BC Res. 1987-6, passed 9-18-87; Am. BC Ord. 1997-18, passed 12-1-97; Am. BC Ord. 2006-04, passed 4-12-06; Am. BC Ord. 2013-18, passed 6-24-13) Penalty, see § 39.99

§ 39.04 EXCESSIVE FORCE POLICY.

It is the policy of the county that no law enforcement agencies within the county may use excessive force against any individuals engaged in non-violent civil rights demonstrations, in accordance with Section 519 of Pub. L. 101-144 (the HUD Appropriation Act).

(BC Res. 1992-1, passed 1-6-92)

§ 39.05 AUDITOR PAYMENT OF BILLS AND CLAIM VOUCHER PROCESS.

(A) *Payment of just debts of the county prior to due date.* The Warrick County Auditor is directed to make payment of those expenses listed in division (C) below prior to its due date when qualified claims have been filed with the County Auditor in a correct and timely manner.

(B) *Claim voucher process.*

(1) Claim vouchers for all claims, including for credit card charges, must be submitted to the Warrick County Auditor's Office in a correct and timely manner.

(2) Claim vouchers for credit card charges are considered qualified, correct and timely if the claim voucher:

(a) Is executed on County Form 17;

(b) Is submitted with an itemized written receipt attached;

(c) Contains a charge for a lawful expense of Warrick County, as determined by the Indiana Code;

(d) Is properly signed and authenticated as true and correct by the person submitting the claim;

(e) Is submitted to the Warrick County Auditor's Office within a reasonable time after purchase (preferably 48-hours) or within a reasonable time upon return to work if incurred out of town (preferably 48-hours); and

(f) Submitted to the Warrick County Auditor's Office no later than ten business days before the payment on the credit card is due.

(3) If an individual fails to submit a claim voucher in accordance with the immediately preceding division, then that person shall have a continuing obligation to correct any information necessary for the claim voucher to come into compliance with said division. The Warrick County Auditor shall take action to reasonable expedite communication with the office holder or department head to obtain the corrected claim voucher in a timely manner.

(4) Penalty for late fees/penalties incurred by Warrick County:

(a) If a claim voucher is qualified, correct and timely submitted to the Warrick County Auditor's Office, and Warrick County incurs late fees/penalties for untimely payment, then Warrick County Auditor shall be personally liable for any such fees/penalties.

(b) If a claim voucher is not for a qualified expense, not timely submitted to the Warrick County Auditor's Office or not correctly submitted, and Warrick County incurs late fees/penalties for untimely payment, then the office holder or department head seeking payment for the claim voucher shall be personally liable for any fees/penalties.

(c) If a dispute arises as to whether a claim voucher was qualified, correct or timely submitted to the Warrick County Auditor's Office, the Warrick County Board of Commissioners shall in its discretion determine whether said claim voucher was qualified and submitted in a correct and timely manner.

(5) This section is adopted by virtue of I.C. 36-2-6-4.5, which specifically provides that a county executive may adopt an ordinance allowing money to be disbursed for lawful county purposes under this section and further provides that notwithstanding I.C. 5-11-10 with the prior written approval of the Board having jurisdiction over the allowance of claims, the County Auditor may make claim payments in advance of Board allowance for certain kinds of expenses including, but not limited to utility payments or utility connection charges and expenses described in an ordinance provided that such expenses are supported by a fully itemized invoice or bill and certification by the County Auditor and further provided that the county executive or County Board having jurisdiction over the allowance of the claim shall review and allow the claim at its next regular or special meeting following the pre-approved payment of the expenses and that such payment of expenses under this section must be published in the manner provided under I.C. 36-2-6-3.

(C) Claims to be paid by Auditor.

(1) The Warrick County Auditor is directed to make claim payments in advance of Warrick County Board of Commissioners allowance for the following kinds of expenses:

(a) Property or services purchased or leased from the United States government, its agencies or its political subdivisions;

(b) Insurance premiums;

(c) Utility payments or utility connection charges;

(d) General grant programs where advance funding is not prohibited and the contracting party posts sufficient security to cover the amount advanced;

(e) Grant of state funds authorized by statute;

(f) Lease or rental payments;

(g) Bond and coupon payments;

(h) Payroll;

(i) State or Federal taxes;

(j) Expenses that must be paid because of emergency circumstances;

(k) Expenses described in an ordinance;

(l) Contract payments; and

(m) Qualified, correct and timely credit card claims if the due date for the credit card is prior to the time the Board of Commissioners can approve the same.

(2) Each payment of expense must be supported by a fully itemized invoice or bill as described above in division (B) of this section and certification by the Warrick County Auditor.

(3) The Warrick County Board of Commissioners having jurisdiction over the allowance

of the claim shall review and allow the claim at its next regular or special meeting following the pre-approved payment of the expense.

(4) A payment of expenses under this section must be published in the manner provided under I.C. 36-2-6-3.

(BC Ord. 2002-07, passed 8-7-02; Am. BC Ord. 2002-08, passed 8-7-02; Am. BC Ord. 2017-24, passed 9-25-17)

§ 39.06 AUTHORIZING CREDIT CARD AND DEBIT CARD TRANSACTIONS.

(A) The Sheriff of Warrick County is authorized to accept a credit card or debit card for any required payment to the Sheriff of Warrick County; and

(B) The Sheriff of Warrick County is authorized and directed to charge and collect fees for the use of credit card or debit cards.

(CC Ord. 2009-02, passed 5-7-09; Am. CC Ord. 2009-02, passed 6-4-09)

§ 39.07 SECURITY OF COUNTY FACILITIES.

It is the policy of the county that all locks, entry and exit access, surveillance cameras or policies, and any or all other security measures in all county owned buildings or facilities, including building fixtures or other appurtenances within said buildings or facilities ("security measures") shall be subject to the exclusive authority of the Board of Commissioners. Subject to any exemptions granted by the Board of Commissioners from time to time, any alterations, modifications, or changes to security measures must first receive the approval of the Board of Commissioners by forwarding a request to the County Administrator, who shall thereupon present said request for official action by the Board of Commissioners as soon as reasonably practical. In the case of an emergency, the security measure may be enacted with written consensus of a majority of the

Board of Commissioners, but said security measure shall be submitted for formal action by the Board of Commissioners at its next regularly scheduled meeting. The County Administrator may establish administrative rules and procedures for the implementation of this section.

(BC Ord. 2015-03, passed 2-9-15)

§ 39.08 PUBLIC RECORDS REQUESTS.

(A) *Form and content of public records request.*

(1) All requests for inspection or copying of public records must be:

(a) In writing; and

(b) Identify with reasonable particularity the record(s) being requested.

(2) No request complying with the Indiana Access to Public Records Act may be denied for failure to state the purpose of the request.

(B) *Public records request.* Any person making a request that complies with the requirements of division (A) above may inspect and copy the public records during the regular business hours of the county. If the county maintains the requested record in an electronic storage data system, and the county is able to retrieve those records through reasonable efforts, then the county shall provide a copy of all disclosable data via disk or any other method of electronic retrieval.

(C) *Use of information for commercial purpose.*

(1) Notwithstanding the above, if any office holder, department or division of the county believes the request is for any kind of commercial purpose, then all such persons making requests for public records must first verify in writing that they will not use the information for commercial purposes, including a statement that the requesting party shall

not sell, advertise or solicit the purchase of merchandise, goods or services, or sell, loan, give away or otherwise deliver the information obtained by the request to any other person for these purposes. The verification shall be in the form prescribed herein, and the office holder, department or division of the county is under no obligation to comply with the request for records until this verification has been received.

(2) Use of information in connection with the preparation or publication of news, for nonprofit activities, or for academic research shall not be considered as use for commercial purposes and does not require written verification.

(D) *Violations.* A person who uses information in a manner contrary to this section or the verification

provided for herein shall be prohibited from obtaining a copy of the requested data or any additional or future data requests from the county.

(E) *Reasonable effort to provide public records.* The county shall make reasonable efforts to provide public records contained within an electronically stored data system to any person complying with the requirements of this section. For purposes of this section, **REASONABLE EFFORTS** shall be determined in the discretion of the office holder, department or division of the county in which the records are kept.

(F) *Form of verification.* The verification provided for in division (C) above shall be in the following form.

VERIFICATION OF NO COMMERCIAL PURPOSE

To:		(Requesting Party)
		(Address)
From:		(County Office)
		(Name)
		(Title)

This office acknowledges receipt of your request pursuant to the Indiana Access to Public Records Act, I.C. 5-14-3 *et seq.*, for certain records to be provided in an electronic format. We have determined your request may be for commercial purposes. Before responding to your request, please date and sign the form below and submit to the office listed above.

I, _____, representing _____, the requesting party, do hereby swear and affirm that the information requested and to be provided to me shall not be sold, advertised, or solicited for purposes of purchasing merchandise, goods or services by any party, nor will the information be sold, loaned, given away or otherwise delivered in any manner to any other person for these purposes. I furthermore acknowledge that any breach of this verification may result in the requesting party being prohibited from any additional or future records requests from Warrick County under Indiana law.

Signed: _____

Printed: _____

Dated: _____

(BC Ord. 2014-11, passed 4-14-14)

§ 39.09 RESTRICTED ACCESS POLICY.

The following policy is hereby implemented with respect to requests by covered individuals to restrict disclosure pursuant to I.C. 36-1-8.5.

(A) A request under I.C. 36-1-8.5 must be made in writing. The written request must include the following:

- (1) The individual's full name;
- (2) The individual's full address(es);
- (3) A statement that the individual is either a judge, law enforcement officer, or domestic violence victim as defined under I.C. 36-1-8.5; and
- (4) A statement that the individual is requesting pursuant to I.C. 36-1-8.5 that public access to the individual's home address(es) be restricted.

(B) Only written requests by judges, law enforcement officers, and victims of domestic violence as are defined in I.C. 36-1-8.5 shall be approved for restricted disclosure. The individual must provide verification that the individual is covered under I.C. 36-1-8.5 if requested by the County Administrator.

(C) The County Administrator shall prescribe a form to be filled out and signed by any requesting party, identifying those public access restrictions available and being requested. Any county office or department receiving an individual's request for public access restrictions shall refer them to the County Administrator. All requests must be processed through the County Administrator's office.

(D) Upon receipt of a written request, the County Administrator shall take all reasonably necessary steps to ensure the following steps are completed and the access is restricted as required under I.C. 36-1-8.5:

(1) The County Administrator shall take all reasonable steps necessary to restrict access on the county's GIS mapping website;

(2) The County Administrator shall contact the Treasurer's office, who shall take all reasonable steps necessary to restrict access on the Treasurer's "Public Property Data Base Web Site" as required by I.C. 36-1-8.5;

(3) The County Administrator shall contact the Assessor's office, who shall take all reasonable steps necessary to restrict access on the Assessor's "Public Property Data Base Web Site" as required by I.C. 36-1-8.5;

(4) The County Administrator shall contact the Recorder's office, who shall take all reasonable steps necessary to restrict access on the Recorder's "Public Property Data Base Web Site" as required by I.C. 36-1-8.5, including but not limited to the "Free Name Search"; and

(5) The County Administrator shall take any and all other reasonable and additional steps necessary to comply with the statute.

(E) This policy does not apply to searches performed on county-owned and operated public workstations located in county offices and departments that are directly connected to the applicable server and not searching via the internet.

(F) In the event the County Recorder, County Treasurer, County Auditor, or County Assessor has a reasonable belief that a covered person is no longer living at an address that receives restricted access, then in that event the County Administrator shall notify the covered person of its reasonable belief. The notification shall be made by telephone call, email, and regular mail. In the event the covered person fails to respond within 30 days of the County Administrator's notification, then the property listed in the covered person's request shall be removed from the restricted disclosures.

(G) All covered persons whose home address is restricted from disclosure shall notify the County Auditor of a change of home address, termination from employment, or any change of circumstances that may disqualify them from being a covered person under I.C. 36-1-8.5-2.

(BC Res. 2015-04, passed 1-12-15; Am. BC Res. 2016-06, passed 6-3-16)

§ 39.10 INTERNAL CONTROL STANDARDS.

(A) The acceptable minimum level of internal control standards and procedures for internal control systems as established by I.C. 5-11-1-27(e), and as may be amended from time to time, are hereby adopted and shall be in full force and effect from and after its passage. The standards shall include control environment, risk assessment, control activities, information and communication, and monitoring to promote county accountability and transparency. All departments and officers shall establish and enforce procedures in compliance with the Indiana State Board of Accounts internal control standards.

(B) All personnel, as defined by I.C. 5-11-1-27, shall participate in the required training as developed by the Indiana State Board of Accounts.

(BC Ord. 2016-08, passed 5-9-16)

JUDICIAL CENTER AND COURTHOUSE SQUARE

§ 39.15 CERTAIN ACTIVITIES PROHIBITED.

That no skateboarding, rollerblading, bicycling or use of any other type of recreational wheeled object shall be allowed on or about the County Judicial Center premises, grounds, sidewalks, parking lots, or otherwise within the immediate vicinity of the Judicial Center as well as the premises known as the Courthouse Square and the grounds thereof.

(BC Ord. 2000-2, passed 2-28-00) Penalty, see § 39.99

§ 39.16 DEADLY WEAPONS PROHIBITED.

(A) Deadly weapons of any kind, as defined by I.C. 35-41-1-8, are prohibited from being carried or maintained within the premises of the County Judicial Center by anyone, with the exception of duly recognized law enforcement officials.

(B) Deadly weapons of any kind as defined by I.C. 35-41-1-8 are prohibited from being carried or maintained within the premises of the Courthouse Square by anyone with the exception of elected government officials who have been issued and carry a license under I.C. 35-47-2 and duly recognized law enforcement officials.

(C) Pursuant to I.C. 35-41-1-8, deadly weapon is hereby defined as follows:

(1) A loaded or unloaded firearm;

(2) A weapon, device, taser (as defined in I.C. 35-47-8-3) or electronic stun weapon (as defined in I.C. 35-47-8-1), equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury; and

(3) An animal (as defined in I.C. 35-46-3-3) that is:

(a) Readily capable of causing serious bodily injury; and

(b) Used in the commission or attempted commission of a crime.

(BC Ord. 2000-3, passed 4-1-00; Am. BC Ord. 2002-02, passed 1-23-02) Penalty, see § 39.99

§ 39.99 PENALTY.

(A) Any person violating § 39.02 or § 39.16 shall be punished by a fine not to exceed \$500 for each violation.

(B) Any person violating § 39.15 shall be punished by a fine not to exceed \$250 for each violation.

(BC Res. 1987-6, passed 9-18-87; Am. BC Ord. 1997-18, passed 12-1-97; Am. BC Ord. 2000-2, passed 2-28-00; Am. BC Ord. 2000-3, passed 4-1-00; Am. BC Ord. 2002-02, passed 1-23-02)

Traffic Schedules

11

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Kaiser Road (S 500)	From State Road 61 east approximately one-half mile to the centerline of the Southern Railroad tracks, commonly known as Yankeetown Dock Corporation railroad tracks	20 m.p.h.	BC Ord. 1991-6	2-4-91
Kaiser Road (S 500)	From Yankeetown Highway west approximately one-half mile to the center lien of Taylor Road (W 250)	20 m.p.h.	BC Ord. 1991-6	2-4-91
Kaiser Road (S 500)	From State Road 61 to County Road (W 250)	30 m.p.h.	BC Res. 2009-9	4-27-09
Lakeridge Drive	From its beginning at State Road 261 to its intersection with Woodbridge Drive in the Lakeridge Subdivision	25 m.p.h.	BC Res. 2015-07	5-26-15
Lincoln Trail Road (North 600)	From the intersection of State Road 161 East to the intersection of East 1000 Road	35 m.p.h.	BC Ord. 1992-20	7-27-92
Mansfield Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Marble Court	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Marble Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Merimac Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Midway Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Miranda Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
North Road	From the northern city limits of the Town of Elberfeld to State Road 68	40 m.p.h.	BC Ord. 1995-23	12-11-95
Oak Grove Road	From the intersection of Libbert Road westerly to the intersection of Epworth Road	50 m.p.h.	BC Res. 2014-08	10-13-14

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Outer Lincoln Avenue	From Bell Road westerly to the Warrick/Vanverburgh County line	35 m.p.h.	BC Res. 2014-07	5-27-14
Overland Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Pelzer Road	From County Road N/S 0 (Maple Grove Road) to County Road S 300 (New Hope Road)	40 m.p.h.	BC Res. 2011-09	10-10-11
Pelzer Road	Where not otherwise specified in this schedule	30 m.p.h.	BC Ord. 1985-6; Am. BC Res. 2011-09	2-4-85; 10-10-11
Penrose Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Ridgeview Avenue	Greer Township	20 m.p.h.	BC Res. 2013-03	1-28-13
River Ridge Drive	River Ridge Subdivision	20 m.p.h.	BC Res. 2015-10	10-26-15
Sandal Way	From its beginning at Telephone Road to its intersection with Sandalwood Drive in the Sandals Subdivision	20 m.p.h.	BC Res. 2015-09	7-27-15
Shilo Road	Boonville	30 m.p.h.	BC Res. 2017-11	4-10-17
Taylor Drive	Between Ande Drive and Park Place Drive	20 m.p.h.	BC Res. 2016-03	1-25-16
Tecumseh Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12
Telephone Road (S 200)	From Bell Road (W 850) to State Road 62	40 m.p.h.	BC Ord. 1990-28	12-26-90
Telephone Road (S 200)	From County Road (W 1050) to County Road (W 900)	50 m.p.h.	BC Res. 2009-12	6-8-09
Terrace Drive	Located east of Bell Road in Newburgh, Warrick County, IN	20 m.p.h.	BC Res. 2016-11	11-14-16
Titan Drive	Ohio Township	25 m.p.h.	BC Res. 2012-11	7-9-12

Traffic Schedules

12A

<i>Street</i>	<i>Location</i>	<i>Speed Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Treemont Drive	From the intersection with Vann Road to the intersection with Kingston Drive	20 m.p.h.	BC Res. 2014-09	10-27-14
Vanada Road (West 550)	From the intersection of Vanada Road (West 550) and State Highway 66 to the intersection of Vanada Road (West 550) and Ferstel Road (South 600)	35 m.p.h.	BC Ord. 1992-20	7-27-92
Yankeetown Road	From County Road S 75 (Rudolph Road) to State Road 66	45 m.p.h.	BC Res. 2011-09	10-10-11
Yankeetown Road (W 200, 250)	From the Boonville city limits to Red Brush Road (S 650) except as otherwise specified in this schedule	40 m.p.h.	BC Ord. 1990-28; Am. BC Res. 2011-09	12-26-90; 10-10-11
Yorkridge Drive		20 m.p.h.	BC Ord. 1990-24	8-27-90

(B) Any person violating the provisions of this schedule shall be fined in any amount not to exceed \$500.

12B

Warrick County - Traffic Code

<i>Street</i>	<i>Location</i>	<i>Weight Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Kansas Road (County Road N 200, N 250)	From Stevenson Station- Elberfeld Road to Vanderburgh County line	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Lincoln Avenue (S 450)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Maurer Road (County Road E 100)	From State Road 62 to Old Tennyson Road	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Millersburg Road (County Road N 175, N 250)	From Boonville to Decker Road	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
North Elberfeld Road (County Road W 1100)	From Elberfeld to State Road 68	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Oak Grove Road (S 300)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Old Degonia Road (County Road N 100)	From Boonville to Otter Creek	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Old Plank Road		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Old Tennyson Road (County Road N 150, E 75, N 200, E 175, N 250)	From Boonville to Degonia- Folsomville Road	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Old Yankeetown Highway (W 200)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Phillips-Hible Road (County Road N 475)	From Folsomville Road to State Road 161	20,000 pounds	BC Ord. 1982- F4-1	2-1-82
Pollack Avenue (S 600, W 975)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Red Brush Road (S 650)		20,000 pounds	BC Ord. 1982- FL-2	2-22-82
Roy Wright Road (County Road N 1200, W 225, N 1225, W 200)	From State Road 68 to State Road 61	20,000 pounds	BC Ord. 1982- F4-1	2-1-82

<i>Street</i>	<i>Location</i>	<i>Weight Limit</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Rudolph Road (South 75)	From Yankeetown Road to State Highway 61	4 tons	BC Ord. 1991-19	7-21-91
Scales Road	The portion in Boonville, Indiana located south of the intersection of Scales Road and Barren Fork Road	20,000 pounds	BC Res. 2017-06	2-13-17
Seitz Road (County Road E 150)	From Old Degonia Road to Tennyson Road	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Shelton Road (County Road N 400)	From Folsomville Road to Smith Road	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Shilo Road	Boonville	20,000 pounds	BC Res. 2017-11	4-10-17
Smith Road (County Road E 75, E 100)	From Old Tennyson Road to Folsomville Road	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Stevenson Station-Elberfeld Road (County Road W 1025, N 75, W 1075, W 1100, N 450, W 1125, N 625, W 1100)	From Heim Road to Elberfeld	20,000 pounds	BC Ord. 1982-F4-1	2-1-82
Telephone Road (S 200)		20,000 pounds	BC Ord. 1982-FL-2	2-22-82
Yankeetown Road	From the intersection of said highway with the city limits of the City of Boonville to and including the intersection of said highway with Indiana State Highway 66	ten tons	BC Ord. 1989-5	4-24-89

(C) Any person who violates this schedule shall be fined in an amount not to exceed \$2,500.

(D) Farm machinery and grain transport vehicles are exempted from the 20,000 pounds weight restriction on Epworth Road as listed within this schedule.

(Am. BC Ord. 2011-25, passed 9-12-11)

CHAPTER 91: FAIR HOUSING

Section

- 91.01 Policy statement
- 91.02 Definitions
- 91.03 Unlawful practice
- 91.04 Discrimination in the sale or rental of housing
- 91.05 Discrimination in residential real estate-related transactions
- 91.06 Discrimination in the provision of brokerage services
- 91.07 Interference, coercion or intimidation
- 91.08 Prevention of intimidation in fair housing cases
- 91.09 Equal access to housing in HUD programs
- 91.10 Exemptions
- 91.11 Administrative enforcement

- 91.99 Penalty

§ 91.01 POLICY STATEMENT.

It shall be the policy of Warrick County to provide, within constitutional limitation, for fair housing throughout its corporate limits as provided for under the Federal Civil Rights Act of 1968, as amended, the Federal Housing and Community Development Act of 1974, as amended, and I.C. 22-9.5-1 *et seq.* (BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

AGGRIEVED PERSON. Includes any person who:

(1) Claims to have been injured by a discriminatory housing practice; or

(2) Believes that such person will be injured by a discriminatory housing practice that is about to occur (I.C. 22-9.5-2-2).

COMMISSION. The Indiana Civil Rights Commission created pursuant to I.C. 22-9-1-4, *et seq.* (I.C. 22-9.5-2-3).

COMPLAINANT. A person, including the Commission, who files a complaint under I.C. 22-9.5-6 (I.C. 22-9.5-2-4).

DISCRIMINATORY HOUSING PRACTICE. An act that is unlawful under §§ 91.04 through 91.08 of this chapter or I.C. 22-9.5-5.

DWELLING. Any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one or more families; or any vacant land which is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as a residence by one or more families (I.C. 22-9.5-2-8).

FAMILIAL STATUS. One or more individuals who have not attained the age of 18 years being domiciled with a parent or another person having legal custody of such individual or the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

FAMILY. Includes a single individual (I.C. 22-9.5-2-9), with the status of such family being further defined above under **FAMILIAL STATUS**.

HANDICAP.

(1) With respect to a person means:

(a) Physical or mental impairment which substantially limits one or more of such person's major life activities,

(b) A record of having such an impairment;

(c) Being regarded as having such an impairment;

(d) An impairment described or defined pursuant to the Federal Americans with Disabilities Act of 1990; and

(e) Any other impairment defined in 910 IAC 2-3.

(2) The term **HANDICAP** shall not include current illegal use of or additions to a controlled substance as defined in 21 U.S.C. § 802 and 910 IAC 2-3-2(14); nor does the term **HANDICAP** include an individual solely because that individual is a transvestite 910 IAC 2-3-2(14).

PERSON. Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, non-incorporated organizations, trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries (I.C. 22-9.5-2-11).

TO RENT. Includes to lease, to sublease, to let and otherwise to grant for a consideration the rights to occupy the premises owned by the occupant (I.C. 22-9.5-2-13).

(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2012-25, passed 8-27-12; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.03 UNLAWFUL PRACTICE.

Subject to the provisions of division (B) of this § 91.09 of this chapter and I.C. 22-9.5-3, the prohibitions against discrimination in the sale or rental of housing set forth I.C. 22-9.5-5-1 and in § 91.04 of this chapter shall apply to:

(A) All dwellings except as exempted by division (B) and I.C. 22-9.5-3.

(B) Other than the provisions of division (C) of this section, nothing in § 91.04 shall apply to:

(1) Any single-family house sold or rented by an owner where the private individual owner does not own more than three such single-family houses at any one time; provided that in the sale of such single family house by a private individual owner not residing in the house at the time of sale or exemption shall apply only to one such sale within any 24 month period. The private individual owner may not own any interest in, nor have owned or reserved on his behalf, title to or any right to all or a portion of the proceeds from the sale or rental of more than three such single-family houses at any one time. The sale or rental of any such single family house shall be exempted from application of this section only if such house is sold or rented:

(a) Without the use in any manner of the sales or rental facilities or services of any real estate broker, agent or salesman, or any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent or salesman, or person; and

(b) Without the publication, posting or mailing, after notice of advertisement or written notice in violation of § 91.04(C) of this chapter, but noting in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies and other such professional assistance as necessary to perfect or transfer this title; or

(2) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by

no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(C) For the purposes of division (B), a person shall be deemed to be in the business of selling or renting dwellings if:

(1) They have, within the preceding 12 months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein;

(2) They have, within the preceding 12 months, participated as agent, other than in the sale of his own personal residence, in providing sales or rental facilities or services in two or more transactions involving the sale or rental of any dwelling or any interest therein; or

(3) They are the owner of any dwelling unit designed or intended for occupancy by, or occupied by, five or more families.
(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.04 DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING.

(A) As made applicable by § 91.03 and except as exempted by §§ 91.03(B) and 91.09, it shall be unlawful:

(1) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, handicap, familial status or national origin.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, handicap, familial status or national origin.

(3) To make, print, or publish, or cause to be made, printed, or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation or discrimination.

(4) To represent to any person because of race, color, religion, sex, handicap, familial status or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

(5) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or perspective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, handicap, familial status or national origin.

(6) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of:

(a) That buyer or renter;

(b) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(c) Any person associated with that person.

(7) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of:

(a) That person;

(b) A person residing in or intending to reside in that dwelling after it is so sold, rented, or made available; or

(c) Any person associated with that person.

(8) For purposes of this division, discrimination includes:

(a) A refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modifications, reasonable wear and tear excepted;

(b) A refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling; or

(c) In connection with the design and construction of covered multi-family dwellings for first occupancy after the date that is 30 months after September 13, 1998, a failure to design and construct those dwellings in such a manner that;

1. The public use and common use portions of such dwellings are readily accessible to and usable by handicapped persons;

2. All the doors designed to allow passage into and within all premises within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs; and

3. All premises within such dwellings contain the following features of adaptive design:

A. An accessible route into and through the dwelling;

B. Light, switches, electrical outlets, thermostats, and other environmental controls in accessible locations; and

C. Reinforcements in bathrooms such that an individual in a wheelchair can maneuver about the space.

(B) Compliance with the appropriate requirement Americans with Disabilities Act of 1990 and of the American National Standard for Buildings and Facilities providing accessibility and usability for physically handicapped people (commonly cited as "ANSI A117.1") suffices to satisfy the requirements of paragraph (A)(8)(c)3.C.

(C) Nothing in this division requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health of safety of other individuals of whose tenancy would result in substantial physical damage to the property of others.

(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.05 DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS.

(A) It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, handicap, familial status, or national origin.

(B) As used in this section, the term residential real estate-related transaction means any of the following:

(1) The making or purchasing of loans or providing other financial assistance:

(a) For purchasing, constructing, improving, repairing, or maintaining a dwelling; or

(b) Secured by residential real estate.

(2) The selling, brokering, or appraising of residential real property.

(C) Nothing in this chapter prohibits a person engaged in the business of furnishing appraisals of real property to take into consideration factors other than race, color, religion, national origin, sex, handicap, or familial status.

(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.06 DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES.

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status or national origin.

(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.07 INTERFERENCE, COERCION OR INTIMIDATION.

It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by §§ 91.03 through 91.06 of this chapter.

(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.08 PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES.

Whoever, whether or not acting under code or law, by force or threat of force willfully injures, intimidates or interferes with, or attempt to injure, intimidate or interfere with:

(A) Any person because of his race, color, religion, sex, handicap, familial status, or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings;

(B) Any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:

(1) Participating, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in division (A); or

(2) Affording another person or class of persons opportunity or protection so to participate; or

(C) Any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion, sex, handicap, familial status, or national origin, in any of the activities, services, organizations or facilities described in division (A), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to participate shall be fined according to local, state and Federal law; and if bodily injury results shall be fined not more than \$10,000 or imprisoned not more than ten

years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.09 EQUAL ACCESS TO HOUSING IN HUD PROGRAMS.

Pursuant to 24 CFR Part 5.403 and 24 CFR Part 574.3 the definition of "family" is revised to include families regardless of the actual or perceived sexual orientation, gender identity, or marital status of its members.

(BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.10 EXEMPTIONS.

(A) Exemptions defined or set forth under I.C. 22-9.5-3 *et seq.* shall be exempt from the provisions of this chapter to include those activities or organizations set forth under divisions (B) and (C) of this section.

(B) Nothing in this chapter shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodging to its members or from giving preference to its members.

(C) Nothing in this chapter regarding familial status shall apply with respect to housing for older

persons. As used in this section, "housing for older persons" means housing:

(1) Provided under any state or Federal program that the Secretary of the Federal Department of Housing and Urban Development or the State Civil Rights Commission determines is specifically designed and operated to assist elderly person (as defined in the state or Federal program); or

(2) Intended for, and solely occupied by, person 62 years of age or older; or

(3) Intended and operated for occupancy by at least one person 55 years of age or older per unit. (BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.11 ADMINISTRATIVE ENFORCEMENT.

(A) The authority and responsibility for properly administering this chapter and referral of complaints hereunder to the Commissioner as set forth in division (B) hereof shall be vested in the Chief Elected Official of Warrick County, Indiana.

(B) Notwithstanding the provisions of I.C. 22-9.5-4-8, Warrick County, Indiana, because of lack of financial and other resources necessary to fully administer enforcement proceedings and possible civil actions under the chapter, herein elects to refer all formal complaints of violation of the articles of this chapter by complainants to the Indiana Civil Rights Commission for administrative enforcement actions pursuant to I.C. 22-9.5-6 and the Chief Elected Official of Warrick County, Indiana, shall refer all said complaints to the Commission as provided for under division (A) to said Commission for purposes of investigation, resolution and appropriate relief as provided for under I.C. 22-9.5-6.

(C) All executive departments and agencies of Warrick County, Indiana, shall administer their departments, programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this chapter and shall cooperate with the Chief Elected Official and the Commission to further such purposes.

(D) The Chief Elected Official of Warrick County, Indiana, or the Chief Elected Official's designee, shall provide information on remedies available to any aggrieved person or complainant requesting such information.

(BC Ord. 1995-5, passed 2-22-95; Am. BC Ord. 2016-31, passed 12-12-16; Am. BC Ord. 2017-01, passed 1-23-17)

§ 91.99 PENALTY.

Whoever violates the provisions of § 91.08 shall be fined according to local, state and federal law; and if bodily injury or death results shall be fined not more than \$2,500.

(BC Ord. 1995-5, passed 2-22-95)

CHAPTER 130: PRIVATE SEWAGE DISPOSAL SYSTEMS

Section

- 130.01 Definitions
- 130.02 System regulations
- 130.03 Land requirement
- 130.04 Permits and inspections
- 130.05 Inspection and notice of violation
- 130.06 Rules and regulations

- 130.99 Penalty

disposing of sewage which have been built, or are intended to be built, or are being maintained by any person.

PUBLIC SEWER. Any sewer constructed, installed, maintained, operated and owned by a municipality, or other unit in government, or taxing district. A sewer established or maintained for the purpose of carrying surface water run-off and subsoil drainage shall not be considered a public sewer under this definition.

§ 130.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMBINED SEWER. A sewer receiving both surface water run-off and sewage.

CONTIGUOUS. Any actual contact; touching; or within 300 feet, though not in actual contact. Further, **CONTIGUOUS** is intended to mean and include any and all adjacent lots and building sites regardless of present or future ownership.

COUNTY HEALTH OFFICER. The appointed health official and all other employees of the County Health Board designated by said Board to be an authorized representative.

PERSON. Any individual, partnership, copartnership, firm, company, corporation, association, trust, estate or his legal representative or agent.

PRIVATE SEWAGE DISPOSAL SYSTEM. Individually or collectively those constructions or devices used for the collecting, pumping, treating, or

RESIDENCE. Is meant to include any living facility for human habitation whether used for part time or full time purposes and includes without limitation all homes, mobile homes, cottages, permanently established travel trailers, permanent pads or other parking spaces.

SANITARY SEWER. A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

SEWAGE. The water-carried waste derived from ordinary living process.

SEWAGE DISPOSAL SYSTEM. Any arrangement of devices and structures designated to, or used for, receiving, treating or disposing of sewage.
(BC Ord. 1985-15, passed 10-28-85)

§ 130.02 SYSTEM REGULATIONS.

(A) Where a public, sanitary or combined sewer is not available, all persons shall comply with the following provisions of this chapter for private sewage disposal systems.

(B) It shall be unlawful for any person to place, deposit or permit to be deposited any human excrement or sewage in a manner which does not

comply with the provisions of this chapter or in any unsanitary manner upon public or private property within the county.

(C) At any business building situated within the county, where there is installed or to be installed a private sewage disposal system which is not connected to a public sewer system, and no public sewer system is contiguous, there shall be established or constructed and maintained a private sewage disposal system which shall comply with the standards of the Indiana State Board of Health as contained in Bulletin S.E. 13 and as amended of the Indiana State Board of Health, which is herewith adopted by reference.

(D) Any privy situated within the county shall be of the sanitary type and shall be constructed and maintained in a clean condition and so that insects and rodents cannot enter the vault. Any privy shall be located so as not to in any way allow contamination to enter into the surface or subsurface water of the county.

(E) (1) All private sewage disposal systems and privies shall be installed, constructed and maintained in an approved manner as described in Bulletin S.E. 11, S.E. 13 and 410 IAC 6-8 of the Indiana State Board of Health or amendments and supplements thereof and hereinafter adopted by said Board, which are herewith adopted by reference as part of this section.

(2) The installation of any other private residential sewage disposal systems not described in Indiana State Board of Health Bulletins may be approved by the Warrick County Health Officer after applicant has filed the requirements and plans and specifications of such device or system in the Health Office of the county.

(F) (1) Should any breakdown occur or defect exist in any private sewage disposal system or privy which would cause said disposal system to fail to meet the requirements of divisions (B), (C), (D), or (E) above, and/or in any way cause improperly treated sewage to escape from the property of the owner of

said system, or in any way cause pollution to enter the waters of the county, the tiles or drains in the county or the tiles, the surface water, or subsurface water of any other private person within this county, the defects will be corrected immediately by the owner or agent of the owner, occupant, or agent of the occupant.

(2) Until such time as said defect is corrected, said system shall not be used for the reception of any further garbage or sewage until such defect is corrected and a certificate of said correction is issued by the County Health Officer.

(3) The County Health Officer upon discovery of any condition as set out above in this section, shall issue an immediate order to the owner and occupant of the land stopping or restricting the use of said sewage disposal system.

(4) Violation of this section shall be violation of this chapter and the violator shall be subject to the penalties described in § 130.99.

(G) Whenever an available public sewer, combined sewer or sanitary sewer approved by the Public Service Commission or the Indiana State Board of Health becomes contiguous and is within 300 feet of the building line of a residential or business property, served by a private sewage disposal system or privy, situated within the county, a direct connection shall be made to said sewer and any septic tanks, seepage pits, outhouses, privy pits and similar sewage disposal and treatment facilities shall be abandoned and filled in a safe and sanitary manner.

(H) Whenever a new business building or subdivision is developed in an area where a public or sanitary sewer, or combined sewer is contiguous and available, a connection shall be made to said sewer.

(I) Whenever an available public sewer, combined sewer or sanitary sewer ("Public Sewer") approved by the Public Service Commission or the Indiana State Board of Health is contiguous or within 300 feet of the building line (as established by Warrick County zoning ordinance) of a residential property that

is being developed for a residential home and is situated within the county, a direct connection shall be made to said public sewer. The County Board of Health may grant a special permit waiving this connection requirement if the residential homeowner provides the County Board of Health with the following:

(1) The applicable Municipal Works Board waives in writing any tap-in rights the Municipal Works Board may have or otherwise waives the Municipal Works Board's enforcement rights under I.C. § 36-9 *et seq.*, against the homeowner and all successors-in-title, unless and until:

(a) The homeowner or successor-in-title consents to the public sewer tap-in;

(b) The residential property receiving said waiver is annexed by a municipality; or

(c) The septic system fails thereby creating a public health hazard as determined by the County Board of Health; and

(2) A written statement by the homeowner affirming that the cost to connect to the public sewer line is equal to or exceeds the cost of installing any acceptable private sewage disposal system.

(BC Ord. 1985-15, passed 10-28-85; Am. BC Ord. 2017-15, passed 6-26-17) Penalty, see § 130.99

§ 130.03 LAND REQUIREMENT.

(A) Areas which are rated severe for septic tank absorption fields by the U.S. Department of Agriculture Soil Conservation Service must have a minimum of two and one-half acres.

(B) Land areas which have been legally divided and recorded before June 24, 1975, may be less than two and one-half acres in size, but must have enough suitable land for a septic tank absorption field, which shall be determined by the County Health Officer,

with any tests, plans and specifications, the Health Officer may require to be submitted before approval of the application.

(BC Ord. 1985-15, passed 10-28-85) Penalty, see § 130.99

§ 130.04 PERMITS AND INSPECTIONS.

(A) Before commencement of construction of any building or residence, or before location of a mobile home on a plot of ground where a private sewage disposal system or privy is to be installed, or where any alteration, repair, or addition to an existing private sewage disposal system is planned, the owner or agent shall first obtain a written permit signed by the County Health Officer. The application for such permit shall be made on a form provided by the County Board of Health, which application shall be supplemented by any plans, specifications and other information as is deemed necessary by the County Health Officer and a \$100 fee paid to the County Health Department at the time the application is filed.

(B) A private sewage disposal system or privy for which a permit has been issued shall not be used until the installation is completed to the satisfaction of the County Health Officer. He or his agent, shall be allowed to inspect the work during any state of construction; and in any event, the applicant for the permit shall notify the Health Officer when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within two working days of the receipt of notice by the County Health Officer.

(C) A private sewage disposal permit shall be effective for a period of two years from the date of issuance. A private sewage disposal system must be installed in compliance with this chapter before the residence which it serves can be occupied.

(D) No person shall install, construct, alter, repair or make any addition to a private sewage disposal system unless a permit from the County Health Officer has been first issued for such work.

(E) All permits issued hereunder shall be posted in a conspicuous place at or near the building where the sewage disposal system is under construction. The notice should be plainly visible from the public thoroughfare serving this building.

(F) Should the County Health Officer, after examination of such application or construction find the same to be in conflict with any terms and provisions of this chapter, he shall, in writing addressed to the applicant, reject such application.

(G) (1) All applications for approval of any new subdivision or any part thereof shall be submitted directly to the County Board of Health for approval of the manner and method of the disposal of domestic and sanitary sewage where provision is not provided for connection to a public sewer or a combined sewer.

(2) If the Board does not approve said application, notice of the disapproval shall be transmitted within ten days after said disapproval to the applicant thereof and the County Area Plan Commission.

(BC Ord. 1985-15, passed 10-28-85; Am. BC Ord. 1991-16, passed 7-22-91; Am. BC Ord. 2013-19, passed 7-22-13) Penalty, see § 130.99

§ 130.05 INSPECTION AND NOTICE OF VIOLATION.

(A) The County Health Officer or his agent bearing proper credentials and identification shall be permitted to enter upon all properties at any reasonable daylight time for the purposes of inspection, observation, measurement, sampling and testing necessary to carry out the provisions of this chapter.

(B) Any person found to be in violation of any provision of this chapter may be served by the County Board of Health or the duly appointed Health Officer, with a written order stating the nature of the violation and providing a 30-day time limit for satisfactory correction thereof.

(C) After receiving an order in writing from the County Board of Health or the duly appointed Health Officer, the owner, agent of the owner, the occupant or agent of the occupant of the property shall comply with the provisions of this chapter as set forth in said order and within the time limit included therein. Said order shall be served on the owner or the owner and the occupant or on the agent of the owner but may be served on any person, who, by contact with the owner, has assumed the duty of complying with the provisions of an order.

(D) When called upon by the owners of any private sewage disposal system to test said system the County Department of Health and Animal Control shall charge a fee of \$50 for each dye test and a fee of \$10 for each water test requested. All funds received hereunder shall be deposited in the same manner and through the same accounts as other fees charged under the provisions of this chapter.

(BC Ord. 1985-15, passed 10-28-85; Am. BC Ord. 1989-14, passed 7-24-89; Am. BC Ord. 1991-16, passed 7-22-91)

§ 130.06 RULES AND REGULATIONS.

The County Health Board may adopt any reasonable rule or regulation in regard to the inspection, certification, enforcement, construction and design of private sewage disposal systems under this chapter which are not in conflict thereof. Any such rule shall be approved by the County Board of Commissioners and duly promulgated as is by law required.

(BC Ord. 1985-15, passed 10-28-85)

§ 130.99 PENALTY.

Any person found to be violating any provision of this chapter shall, upon conviction, be punished for the first offense by a fine of not more than \$500; and for the second offense or subsequent offense by a fine

of not more than \$1,000. Each day after the expiration of the time limit for abating insanitary conditions and completing improvements to abate such conditions as ordered by the County Board of Health or by the duly appointed Health Officer of the County, shall constitute a distinct and separate offense.

(BC Ord. 1985-15, passed 10-28-85)



<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Res. 2000-4	9-13-00	Authorizing execution and delivery of master equipment lease/purchase agreement and related instruments by and between the county and Old National Bank
BC Res. 2001-06	6-13-01	Approving the Southwest Indiana 2000 Comprehensive Economic Development Strategy and supporting the creation of the Southwest Indiana Economic Development District
BC Res. 2002-07	5-1-02	Authorizing an agreement for potholing request at Lockwood Lane and Epworth Road in the Town of Newburgh
BC Res. 2004-04	4-21-04	Authorizing a master equipment lease/purchase agreement
BC Res. 2004-06	9-15-04	Approving an amendment to Evansville Urban Transportation Study (EUTS) Articles of Agreement
BC Ord. 2004-13	10-14-04	Approving an interlocal agreement with the Town of Newburgh regarding the Newburgh Master Lift Station Project
BC Res. 2005-06	3-16-05	Approving the interlocal agreement with Vanderburgh County, Indiana regarding the construction of Lynch Road
CC Res. 2005-02	4-7-05	Approving an interlocal agreement between Warrick County, Indiana and Vanderburgh County, Indiana regarding the financing and construction of the extension of Lynch Road
CC Res. 2006-08	5-4-06	Authorizing the execution of a memorandum of agreement between Warrick County and Southern Indiana Gas and Electric Company
BC Res. 2009-13	8-10-09	Approving and adopting a memorandum of agreement transferring jurisdiction of a roadway between Warrick County and the Town of Newburgh
CC Ord. 2015-02	- -15	Authorizing the creation of a Regional Development Authority with Gibson, Posey, and Vanderburgh Counties

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Res. 2017-13	5-22-17	Waiving recoupment rights related to the Newburgh Master Lift Station Project and its interlocal agreement

TABLE V: REAL ESTATE TRANSACTIONS

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
CC Ord. -	11-18-74	Lease of real estate known as the Old Warrick Jail, located at the northwest corner of the intersection of Main and Fourth Streets at Boonville, Indiana
BC Ord. 1987-17	10-5-87	Determining to sell certain land to the Warrick County Jail Building Corporation
CC Ord. 1989-5	8-10-89	Authorizing the Board of Commissioners to purchase the real estate located at the address of 109 West Main Street, Boonville for a total consideration of not more than \$80,000
CC Ord. 1992-20	7-21-92	Approving the acquisition of property by the Board of Commissioners upon which a new judicial center is proposed to be constructed
BC Res. 1994-3	10-24-94	Transferring certain real estate to the Warrick County Redevelopment Commission
CC Ord. 1995-4	4-24-95	Authorizing the purchase of real estate located at 120 East Main, Boonville
CC Res. 1995-13	8-3-95	Approval to purchase real estate to construct a justice center
BC Res. 1997-5	5- -97	Approving real estate purchase agreement by and between the Warrick Co. Judicial Center Building Corp., and the City of Boonville
BC Res. 1998-16	- -	Approving transfer of Pfafflin Lake Boulevard to Pfafflin Lake Corporation
CC Res. 2002-02	10-3-02	Approving the transfer of property for the Boonville Junior League Baseball, Inc's Park
BC Res. 2006-07	12-20-06	Approving sale of property, lying south and adjacent to the existing 4-H Center property, and west of Roth Road, to the Warrick County Department of Parks and Recreation

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Res. 2009-7	3-13-09	Approving the removal and junking of worthless personal property
BC Res. 2009-10	6-8-09	Authorizing the delivery of a master equipment lease/purchase agreement
BC Ord. 2010-11	8-23-10	Approving lease agreement with the Town of Chandler for the construction of an EMS facility on five acres of property on State Street in Chandler, Indiana
CC Ord. 2011-01	4-14-11	Approving transfer of real estate to the County Council on Aging for the construction of a senior citizen center on 2.56 acres of property at 150 State Rd. 62 in Boonville, Indiana
BC Res. 2013-05	4-22-13	Approving sale of real estate on the northwest corner of Fuquay Road and Gardner Road
BC Res. 2016-10	10-10-16	Approving the acquisition of certain property by the Redevelopment Commission
CC Res. 2017-01	1-5-17	Expressing interest in making a purchase of 3.7 acres from Maken adjacent to current storage facility on Prospect Drive

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2016-R-06	5-9-16	Rezoning part of the southwest quarter and the northwest quarter of the southeast quarter of Section 10, Township 5 South, Range 8 West; Boon Township, from A to R-1D PUD
BC Ord. 2016-07	5-9-16	Rezoning part of the north half of the southeast quarter of Section 20, Township 6 South, Range 9 West, Ohio Township, from A to C-4
BC Ord. 2016-11	6-13-16	Rezoning part of the northwest quarter of the southeast quarter of Section 22, Township 6 South, Range 9 West, Ohio Township, from A to R-1
BC Ord. 2016-13	7-11-16	Rezoning part of the northwest quarter of the southwest quarter of Section 32, Township 6 South, Range 9 West, Ohio Township, from R-1A to C-4
BC Ord. 2016-16	9-12-16	Rezoning part of the north half of the southeast quarter of Section 15, Township 6 South, Range 9 West (2622 Bell Road), from A to PUD/R-2
BC Ord. 2016-22	11-14-16	Rezoning part of the northwest quarter of the southeast quarter of Section 22, Township 6 south, Range 9 west in Ohio Township from AG to R-1
BC Ord. 2016-26	11-28-16	Rezoning a part of the southwest quarter of Section 31, Township 4 south, Range 9 west, from C-3 to A
BC Ord. 2016-27	11-28-16	Rezoning Lot 42 in the replat of Lots 42 and 43 in High Pointe Centre north Section 2, Phase 2, as per plat thereof from C-4 to PUD/C-4
BC Ord. 2016-28	11-28-16	Rezoning certain real estate known as Lot 5 in A and B Industrial Park from M-1 to M-2
BC Ord. 2016-29	11-28-16	Rezoning part of the southwest quarter of Section 33, Township 6 south, Range 9 west from A to C-4

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2017-06	3-13-17	Rezoning part of Lot 2 in Martin Bell subdivision, as per plat thereof and being part of the northwest quarter of the southeast quarter of Section 22, Township 6 south, Range 9 west from R-1 to PUD/R-1
BC Ord. 2017-10	4-10-17	Rezoning part of the southeast quarter of Section 27, Township 6 south, Range 9 west, Ohio Township from A to R-1.
BC Ord. 2017-12	5-8-17	Rezoning part of the Parcel 3 in Engelbrecht Minor Subdivision also known as Park Place Drive from PUD/C-4 to PUD/R-2.
CC Ord. 2017-16	7-10-17	Rezoning part of the Southeast Quarter of the Southeast Quarter of Section 27, Township 6 south, Range 9 west, Ohio Township from Agricultural district to R-2
CC Ord. 2017-17	7-10-17	Rezoning Lot 17 and 18 in Oak Wood Park from R-MH to R-1D
CC Ord. 2017-20	8-28-17	Rezoning Lots 5 through 33 in the Sunshine States Subdivision are hereby rezoned from R-1A to A
CC Ord. 2017-21	9-13-17	Rezoning Lot 74 in Lexington Subdivision, a planned residential unit development, from R2-B to PUD/R-2B
CC Ord. 2017-22	9-13-17	Rezoning part of the east half of the Southeast Quarter of Section 21, Township 6 south, Range 9 west in Ohio Civil Township from A to C-4
CC Ord. 2017-23	9-14-17	Rezoning part of the Northwest Quarter of the Southwest Quarter of Section 32, Township 3 south, Range 9 west, Ohio Township from R-1A to C-4
CC Ord. 2017-25	9-25-17	Rezoning Lots 2, 3, 4 and 5 in the High Pointe Centre north Section 1D from C-4 to PUD w/C-4

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
CC Ord. 2017-27	10-10-17	Rezoning part of the northeast quarter of the southeast quarter of Section 32, Township 6 south, Range 9 west from C-1 to C-4
CC Ord. 2017-28	10-25-17	Rezoning part of the southeast quarter of Section 21, Township 6 south, Range 9 west, from Agricultural District to C-4
CC Ord. 2017-29	11-13-17	Rezoning part of the northeast quarter of the southwest quarter of Section 22, Township 6 south, Range 9 west, from C-4 to PUD/C-4
CC Ord. 2017-35	12-11-17	Rezoning certain real estate in part o the southwest quarter of the southeast quarter of Section 18, Township 6 south, Range 8 west in Book Township and part of the northeast quarter of the northwest quarter and part of the northwest quarter of the northeast quarter of Section 19, Township 6 south, Range 8 west in Ohio Township from M-2 to R-1

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2014-05	2-10-14	Vacating a drainage easement on Lot 72 in the corrected plat of the replat of Lakevale Estates, Section B, commonly known as 6255 Pfafflin Lake Blvd., Newburgh, Indiana
BC Ord. 2015-01	2-9-15	Vacating that part of a public way located on real estate commonly known as 5800 Jenner Road, 5811 Jenner Road, and Jenner Road, Newburgh, Indiana
BC Ord. 2015-04	3-23-15	Vacating a portion of Glenview Drive and the public utility and drainage easements within Lot 76 of Lexington Subdivision
BC Ord. 2015-20	8-24-15	Vacating a drainage easement in Englebrecht Place Section 2, Phase 2, now a part of Orchard View Condominium PUD Section 1
BC Ord. 2015-24	10-26-15	Vacating portions of public ways located in the Warrick County Industrial Park Subdivision in Boon Township
BC Ord. 2015-32	12-28-15	Vacating easement located in Part 19A in The Estates at Victoria Replat of Lots 4, 18 & 19
BC Ord. 2015-33	12-28-15	Vacating a 20-foot wide public utility easement located on the common line between Lots 14 and 15, 10 feet on each side of the line, in Remington Ridge
BC Ord. 2016-09	5-23-16	Vacating a portion of a drainage easement located within Lot 165 in Old Hickory Estates #5
BC Ord. 2016-12	7-11-16	Vacating a public utility easement for Lot 2 in Dazey Acres 2 Subdivision
BC Ord. 2016-14	7-25-16	Vacating a portion of the drainage easement on Lots 76 and 88 in Bellevue, Section 1 in Ohio Township
BC Ord. 2016-15	7-25-16	Vacating a 6-foot wide public utility easement on Lots 52 through 59, inclusive, and 98 in Bellevue, Section 1 in Ohio Township

Warrick County - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
BC Ord. 2016-21	11-14-16	Vacating the east 6-feet of a 12-foot public utility easement on the west side Lot 10 of the corrected plat of Sunrise Manor and Acacia Residential Development
BC Ord. 2016-25	--	Vacating part of Lots 2 and 3 in the corrected plat of Bellmoore Landing
BC Ord. 2017-02	--	Vacating public ways from part of Lots 1, 2, and 6 in Warrick Trail Apartment Homes P.U.D. which is part of the southwest quarter of Section 21, Township 6 South, Range 9 west
BC Ord. 2017-09	--	Vacating public ways from part of Lots 5 and 6 in Warrick Trail Apartment Homes P.U.D.
BC Ord. 2017-13	5-22-17	Vacating a public utility easement identified as part of Lot 25 in Lincolnwood Estates Phase II subdivision
BC Ord. 2017-14	6-12-17	Vacating three drainage easements, two public utility easements, a portion of a Lakeside Maintenance and Storm Drainage easement, and three drainage and underground public utility easements all located within the Orchard View Condominiums - P.U.D.
BC Ord. 2017-18	--	Vacating portions of public utility easements in the Epworth Lincoln Subdivision
CC Ord. 2017-19	8-28-17	Vacating parts of a public utility easement in the Lexington Subdivision
BC Ord. 2017-32	--	Vacating all of the Lake Maintenance and Storm Drainage Easement platted on Lot 2 of Grimm Road Commercial

REFERENCES TO INDIANA CODE

<i>I.C. Section</i>	<i>Code Section</i>
1-1-1-5	10.04
1-1-1-7	10.12
1-1-1-8	10.06
1-1-4-5	10.05
1-1-5-1	10.11
1-1-6-1	10.08
3-5-2-40.1	31.11
3-7-12-1 <i>et seq.</i>	34.01
3-7-12-10	34.01
3-11-1.5-2	34.02
4-21.5-3 <i>et seq.</i>	135.20
4-21.5-3-7	150.53
5-1.5-2-2.5	33.64
5-3-1	31.08, 33.86
5-3-1 <i>et seq.</i>	32.05
5-10.1-1-1 <i>et seq.</i>	31.06
5-10.3-1 <i>et seq.</i>	31.06
5-11-1-27	39.10
5-11-10	39.05
5-14-1.5-5(d)	35.31, 35.32
5-14-3 <i>et seq.</i>	39.08
5-14-3-2	37.40
5-14-3-3	37.40
5-14-3-3(e)	37.40
5-14-3-3.6	37.40
5-14-3-3.6(e)	37.40
5-14-3-4	37.40
5-14-3-6	37.40
5-14-3-8(b)	37.12
5-14-3-8(h)	37.12
5-14-3-8(i)	37.12
5-14-3-8(j)	37.40
5-14-3-8(k)	37.40
5-14-3-8.3	37.12
5-14-3-8.5	37.40
5-14-3-8.5(b)	37.40
5-22	31.08
5-22-3-3	31.08
5-22-5	31.08

Warrick County - Parallel References

<i>I. C. Section</i>	<i>Code Section</i>
5-22-5-4	31.08
5-22-5-5	31.08
5-22-6	31.08
5-22-6-1	31.08
5-22-7	31.08
5-22-7-2	31.08
5-22-7-3	31.08
5-22-7-7	31.08
5-22-7-8	31.08
5-22-7-9	31.08
5-22-7-10	31.08
5-22-7-11 through 5-22-7-13	31.08
5-22-7-11	31.08
5-22-7-12	31.08
5-22-7-13	31.08
5-22-8-2	31.08
5-22-8-3	31.08
5-22-9	31.08
5-22-9-6	31.08
5-22-9-7	31.08
5-22-9-10	31.08
5-22-10	31.08
5-22-10-3	31.08
5-22-10-4	31.08
5-22-10-5	31.08
5-22-10-6	31.08
5-22-10-7	31.08
5-22-10-8	31.08
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5-22-10-15	31.08
5-22-10-16	31.08
5-22-10-17	31.08
5-22-11	31.08
5-22-11-1-3	31.08
5-22-11-2	31.08
5-22-12	31.08
5-22-12-1-3	31.08
5-22-13	31.08
5-22-13-2	31.08
5-22-15-21	31.08

<i>I.C. Section</i>	<i>Code Section</i>
5-22-16-6	31.08
5-22-17	31.08
5-22-17-1	31.08
5-22-17-2	31.08
5-22-17-4	31.08
5-22-17-6	31.08
5-22-17-10	31.08
5-22-18-2	31.08
5-22-18-3	31.08
6-1.1-5.5-4	37.09
6-1.1-5.5-4.5	37.09
6-1.1-12.1 <i>et seq.</i>	36.30
6-1.1-12.1	151.01, 151.02
6-1.1-12.1-1	151.01
6-1.1-12.1-3	36.32
6-1.1-12.1-3(a)	36.32
6-1.1-12.1-3(e)	36.31
6-1.1-12.1-4.5	36.33, 36.34
6-1.1-12.1-4.5(g)	36.33, 36.34
6-1.1-12.1-5	36.32
6-1.1-12.1-5(b)	36.32
6-1.1-12.1-5(e)	36.32
6-1.1-12.1-5.1	36.36
6-1.1-12.1-5.5	36.33, 36.34
6-1.1-12.1-5.6	36.36
6-1.1-12.1-5.9	36.36
6-1.1-12.1-7	36.31
6-1.1-12.1-4.5	151.01
6-2.5	36.20
6-2.5-1-3	36.20
6-3.5-4-1 <i>et seq.</i>	71.02
6-3.5-4-2(b)	71.02
6-3.5-5-1 <i>et seq.</i>	71.01
6-3.5-5-4	71.01
6-3.6-9-15	37.11
6-9-18	36.20
6-9-18-3	33.92, 36.20
6-9-18-5	33.90, 33.99
6-9-18-6	33.96
7.1-5	37.41
7.1-5-12	39.03
8-1.5-5 <i>et seq.</i>	33.80
8-1.5-5	33.80, 33.84, 33.85
8-1.5-5-4.5	33.81

Warrick County - Parallel References

<i>I. C. Section</i>	<i>Code Section</i>
8-1.5-5-4.5(d)	33.83
8-16-3	37.01
9-21-5-6	70.01
9-29-4-2	32.02
9-29-11-1	37.19
9-30-5	37.41
9-30-6-8.7	37.41
10-14-3	35.16, 35.37
10-14-3-1	35.02
10-14-3-2	35.02
10-14-3-12	35.30
10-14-3-17	35.02, 35.03
10-14-3-17(c)	35.15
10-14-3-17(d)	35.15
10-14-3-17(d)(2)(A)	35.16
10-14-3-17(d)(2)(B)	35.16
10-14-3-17(h)	35.02, 35.17, 35.18
10-14-3-17(i)	35.17
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14-16-1-24	73.06
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16-18-2-179(b)	132.06

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16-41-37-4	39.03
16-42-19	37.41
20-42-2-4.5	37.15
20-42-2-4.5(b)	37.15
20-42-2-4.5(c)	37.15
20-42-2-4.5(d)	37.15
20-42-2-4.5(e)	37.15
22-9-1-4 <i>et seq.</i>	91.02
22-9.5-1 <i>et seq.</i>	91.01
22-9.5-2-2	91.02
22-9.5-2-3	91.02
22-9.5-2-4	91.02
22-9.5-2-8	91.02
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22-9.5-2-11	91.02
22-9.5-2-13	91.02
22-9.5-3 <i>et seq.</i>	91.10
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22-12-1-14	150.03
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22-12-1-17	150.03
22-12-1-18	150.03
22-12-1-22(b)(12)	150.41
22-12-1-24	150.03
22-12-1-26	150.03
22-12-7	150.05
22-13	150.53
22-13-2-3(b)	150.40
22-13-2-6	150.04
22-13-2-7	150.53
22-13-2-7(b)	150.40
22-13-2-9	150.04

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22-14	150.53
22-15	150.53
22-15-3	150.16
22-15-4	150.04
32-25-2-9	150.03
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36-1-8-5	37.11
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36-1-12 <i>et seq.</i>	31.08
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36-2-3-4(a)	30.15
36-2-4-3	35.02
36-2-4-8	37.04
36-2-5-2	37.04
36-2-5-3(a)	35.17
36-2-6-3	39.05
36-2-6-4.5	39.05
36-2-7-10(b)(5)	37.35
36-2-7-10(b)(6)	37.35
36-2-7-10(b)(9)	37.35
36-2-7-10(c)	37.35
36-2-7-10(f)	37.43
36-2-7-10.1	37.43
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36-2-14-22.3	31.11
36-7-1-500 <i>et seq.</i>	154.004
36-7-3 <i>et seq.</i>	154.050, 154.060
36-7-4-405(2)	154.011
36-7-4-411	154.011, 154.023, 154.024, 154.035, 154.120
36-7-4-700 <i>et seq.</i>	154.003, 154.004
36-7-4-701(b)	154.011
36-7-4-1015	154.018
36-7-7-1 <i>et seq.</i>	153.01
36-7-7-4	153.01
36-7-8-9	150.53
36-7-9	156.02
36-7-9-2	156.01
36-7-9-4	156.01
36-7-14.3(a)	33.25
36-7-14-3(b)	33.25
36-7-14-39	36.31
36-8-3-20	32.01
36-8-10-5	31.11
36-8-10-6	32.06
36-8-10-10	33.65
36-8-10-11	33.72
36-8-16	90.01
36-9 <i>et seq.</i>	130.02
36-9-25-11	55.09
36-9-33-2	136.01
36-10-3-3(A)	33.01
36-10-3-9	33.05
36-10-3-10	33.08
36-10-3-11	33.08
36-10-3-12	33.08
36-10-3-14	33.10
36-10-3-17(C),(D)	33.09

County Council Resolutions

10A

<i>CC Res. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
2013-01	1-3-13	T.S.O. III
2013-02	2-7-13	T.S.O. III
2015-01	1-8-15	T.S.O. III
2015-02	1-8-15	T.S.O. III
2015-05	3-12-15	T.S.O. III
2015-06	3-12-15	T.S.O. III
2015-7	4-2-15	T.S.O. III
2015-8	4-2-15	T.S.O. III
2015-09	5-7-15	T.S.O. III
2015-10	7-9-15	T.S.O. III
2015-11	7-9-15	T.S.O. III
2015-12	8-6-15	T.S.O. III
2015-13	8-6-15	T.S.O. III
2015-14	9-3-15	T.S.O. III
2016-01	1-7-16	T.S.O. III
2016-02	2-4-16	T.S.O. III
2016-03	10-6-16	37.15
2017-01	1-5-17	T.S.O. V

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1986-2	3-14-86	T.S.O. I
1986-5	6-13-86	37.05
1986-4	7-7-86	30.02
1986-5	7-10-86	37.05
1987-6	9-18-87	39.03
1987-8.1	10-16-87	T.S.O. IV
1987-8.2	10-26-87	T.S.O. IV
1988-6	2-22-88	T.S.O. I
1988-7	3-28-88	T.S.O. I
1988-9	3-28-88	T.S.O. I
1988-14	8-22-88	T.S.O. II
1989-12	- -89	T.S.O. I
1990-4	2-5-90	T.S.O. I
1990-8	4-23-90	T.S.O. I
1990-16	12-3-90	33.35 - 33.40
1990-1	12-6-90	33.35 - 33.40
1991-2	1-1-91	33.50 - 33.52
1991-6	- -91	T.S.O. I
1992-1	1-6-92	39.04
1992-13	6-22-92	T.S.O. I
1993-7	4-26-93	153.02
1993-8	6-28-93	37.01
1994-3	10-24-94	T.S.O. V
1994-5	11-28-94	T.S.O. IV
1996-4	6-24-96	T.S.O. IV
1996-7	9-9-96	T.S.O. IV
1996-8	10-28-96	39.02
1997-5	5- -97	T.S.O. V
1998-3	1-12-98	33.36
1998-6	6-8-98	T.S.O. III
1998-9	8-24-98	T.S.O. I
1998-11	8-24-98	33.50
1998-14	10-26-98	T.S.O. I
1998-16	- -98	T.S.O. V
1998-18	12-31-98	T.S.O. I
1999-4	3-29-99	T.S.O. IV
1999-5	4-26-99	T.S.O. IV
1999-7	8-23-99	T.S.O. IV
1999-8	9-13-99	T.S.O. VIII

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<i>BC Res. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
1999-9	9-27-99	T.S.O. I
1999-10	11-22-99	T.S.O. I
2000-04	9-13-00	T.S.O. I
2000-06	12-18-00	52.01
2001-06	6-13-01	T.S.O. I
2001-08	9-12-01	31.09
2002-03	2-14-02	33.36
2002-07	5-1-02	T.S.O. I
2004-04	4-21-04	T.S.O. I
2004-06	9-15-04	T.S.O. I
2005-06	3-16-05	T.S.O. I
2006-07	12-20-06	T.S.O. V
2009-3	1-26-09	35.39
2009-7	3-23-09	T.S.O. V
2009-9	4-26-09	Ch. 72, Sch. I
2009-10	6-8-09	T.S.O. V
2009-11	6-8-09	Ch. 72, Sch. I
2009-12	6-8-09	Ch. 72, Sch. I
2009-13	8-10-09	T.S.O. I
2009-14	10-19-09	153.02
2010-11	8-23-10	T.S.O. V
2011-09	10-10-11	Ch. 72, Sch. I
2012-07	6-11-12	31.11
2012-08	6-11-12	31.10
2012-11	7-9-12	Ch. 72, Sch. I
2013-03	1-28-13	Ch. 72, Sch. I
2013-05	4-22-13	T.S.O. V
2014-04	2-10-14	31.11
2014-07	5-27-14	Ch. 72, Sch. I
2014-08	10-13-14	Ch. 72, Sch. I
2014-09	10-27-14	Ch. 72, Sch. I
2014-10	12-8-14	31.12
2015-04	1-12-15	39.09
2015-06	3-9-16	37.14
2015-07	5-26-15	Ch. 72, Sch. I
2015-09	7-27-15	Ch. 72, Sch. I
2015-10	10-26-15	Ch. 72, Sch. I
2016-10	10-10-16	T.S.O. V
2016-11	11-14-16	Ch. 72, Sch. I
2016-12	11-28-16	31.08
2017-05	1-23-17	32.06
2017-06	2-13-17	Ch. 72, Sch. II
2017-11	4-10-17	Ch. 72, Sch. I, II
2017-13	5-22-17	T.S.O. I

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<i>CC Ord. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
—	11-18-74	T.S.O. V
PB-1982-1	11-18-82	33.01 - 33.12
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1986-5	7-10-86	37.05
1988-1	2-11-88	31.03
1989-2	3-23-89	36.10, 36.11
1989-5	8-10-89	T.S.O. V
1989-7	11-7-89	31.04
1992-20	7-21-92	T.S.O. V
1995-4	4-24-95	T.S.O. V
1998-4	11-5-98	37.08
1998-5	11-5-98	37.07
1999-1	11-4-99	36.20
2000-1	3-3-00	36.11
2000-2	3-2-00	71.01
2000-3	3-2-00	71.02
2001-04	9-6-01	31.03
2002-01	10-3-02	37.09
2003-02	11-6-03	37.11
2004-01	2-5-04	37.11
2004-02	2-5-04	31.03
2004-05	9-2-04	33.60 - 33.73
2005-01	11-3-05	31.03
2006-1	4-13-06	37.39
2007-1	1-4-07	37.40
2008-01	5-1-08	37.12
2008-04	9-4-08	31.03
2009-02	5-7-09	39.06
2009-02	6-4-09	39.06
2011-01	4-14-11	T.S.O. V
2013-01	8-1-13	71.02
2015-02	- -15	T.S.O. I
2016-01	10-6-16	37.11
2017-01	6-1-17	36.20
2017-03	10-5-17	37.16
2017-17	7-10-17	T.S.O. VI
2017-19	8-28-17	T.S.O. VII
2017-20	8-28-17	T.S.O. VI
2017-21	9-13-17	T.S.O. VI

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<i>CC Ord. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
2017-22	9-13-17	T.S.O. VI
2017-23	9-14-17	T.S.O. VI
2017-25	9-25-17	T.S.O. VI
2017-27	10-10-17	T.S.O. VI
2017-28	10-25-17	T.S.O. VI
2017-29	11-13-17	T.S.O. VI

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1994-12	6-27-94	110.01
1994-13	6-27-94	152.01 - 152.08
1994-14	6-27-94	132.01
1994-15	6-27-94	132.02
1994-16	7-11-94	38.02
1994-21	12-12-94	T.S.O. IV
—	2-13-95	92.01
1995-3	2-22-95	92.01
1995-4	2-22-95	T.S.O. VII
1995-5	2-22-95	91.01 - 91.08, 91.10, 91.11, 91.99
1995-6	2-22-95	35.02 - 35.04, 35.15 - 35.19, 35.31 - 35.34, 35.36 - 35.38, 35.97 - 35.99
—	3-13-95	36.12
1995-8	4-10-95	T.S.O. IV
1995-9	- -95	T.S.O. IV
1995-13	8-28-95	34.02
1995-14	9-11-95	36.12
1995-17	9-11-95	T.S.O. VII
1995-18	9-11-95	37.35
1995-19	9-25-95	T.S.O. VII
1995-20	10-23-95	T.S.O. VII
1995-22	11-27-95	T.S.O. VII
1995-23	12-11-95	Ch. 72, Sch. I
—	2-26-96	T.S.O. VI
—	3-25-96	T.S.O. VI
—	4-22-96	T.S.O. VI
—	5-28-96	T.S.O. VI
—	6-24-96	T.S.O. VI
—	7-22-96	T.S.O. VI
—	9-23-96	T.S.O. VI
—	10-28-96	T.S.O. VI
—	11-25-96	T.S.O. VI
—	12-23-96	T.S.O. VI
1997-2	1-27-97	37.02
1997-03	1-27-97	92.01
—	2-24-97	T.S.O. VI
—	3-10-97	T.S.O. VI
—	4-3-97	T.S.O. VI
1997-4	4-14-97	92.10 - 92.15, 92.99
—	4-28-97	T.S.O. VI
1997-5	4-28-97	T.S.O. VII
1997-7	7-14-97	T.S.O. VII
1997-8	7-28-97	T.S.O. VII

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1997-9	7-28-97	T.S.O. VII
1997-10	8-11-97	T.S.O. VII
1997-11	9-8-97	T.S.O. VII
1997-13	9-8-97	37.38
1997-14	9-8-97	132.02
1997-18	12-1-97	39.03
1997-19	- -97	40.01 - 40.07
1997-21	12-1-97	T.S.O. VII
1997-22	- -97	T.S.O. VII
1998-1	- -98	T.S.O. VII
1998-2	- -98	T.S.O. VII
1998-3	4-27-98	135.01 - 135.20, 135.99
1998-4	5-11-98	51.01, 92.45 - 92.50, 92.99
1998-6	6-22-98	31.07
1998-7	6-22-98	31.08
1998-8	6-27-98	T.S.O. VII
1998-10	- -98	T.S.O. IV
1998-13	10-13-98	37.06
1998-15	11-23-98	31.06
1999-1	- -99	T.S.O. VII
1999-2	2-8-99	37.07
1999-9	9-13-99	110.02
1999-10	6-28-99	T.S.O. VII
1999-12	7-26-99	Adopting Ordinance
1999-31	11-22-99	T.S.O. VII
1999-35	9-27-99	38.02
1999-36	10-25-99	T.S.O. VII
1999-37	10-25-99	51.01, 92.46, 92.49, 92.50
2000-1	1-10-00	37.02
2000-2	4-1-00	39.15
2000-3	4-1-00	39.16
2000-4	2-28-00	T.S.O. VII
2000-5	2-28-00	132.01
2000-6	2-28-00	132.02
2000-7	3-27-00	T.S.O. VII
2000-11	4-10-00	T.S.O. VII
2000-13	7-10-00	T.S.O. VII
2000-14	7-10-00	T.S.O. VII
2000-15	7-10-00	T.S.O. VII
2000-16	7-10-00	T.S.O. VII
2000-19	9-13-00	Adopting Ordinance
2000-20	9-13-00	T.S.O. VII
2000-21	9-13-00	33.41

<i>BC Ord. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
2014-05	2-10-14	T.S.O. VII
2014-06	2-24-14	T.S.O. VI
2014-09	3-24-14	31.07
2014-10	3-24-14	37.13
2014-11	4-14-14	39.08
2014-12	4-29-14	T.S.O. VI
2014-13	5-12-14	31.07
2014-14	5-13-14	T.S.O. VI
2014-15	5-13-14	T.S.O. VI
2014-16	6-9-14	110.02, 110.03
2014-17	6-23-14	T.S.O. VI
2014-18	6-23-14	T.S.O. VI
2014-19	6-23-14	T.S.O. VI
2014-20	7-14-14	T.S.O. VI
2014-21	7-14-14	T.S.O. VI
2014-22	7-28-14	T.S.O. VI
2014-23	8-11-14	37.42
2014-24	8-11-14	T.S.O. VI
2014-25	10-13-14	T.S.O. VI
2014-26	10-13-14	T.S.O. VI
2014-28	1-14-15	T.S.O. VI
2014-29	1-14-15	T.S.O. VI
2014-31	12-22-14	39.01
2015-01	2-9-15	T.S.O. VII
2015-02	2-9-15	T.S.O. VI
2015-03	2-9-15	39.07
2015-04	3-23-15	T.S.O. VII
2015-05	3-23-15	T.S.O. VI
2015-06	3-23-15	T.S.O. VI
2015-07	3-23-15	T.S.O. VI
2015-08	3-23-15	35.02, 35.35
2015-09	4-13-15	T.S.O. VI
2015-10	4-13-15	32.04
2015-11	4-27-15	T.S.O. VI
2015-13	5-11-15	T.S.O. VI
2015-14	5-11-15	T.S.O. VI
2015-17	6-8-15	T.S.O. VI
2015-18	8-10-15	T.S.O. VI
2015-19	8-10-15	T.S.O. VI
2015-20	8-24-15	T.S.O. VII
2015-21	9-28-15	136.01, 136.02
2015-22	10-12-15	T.S.O. VI
2015-23	10-12-15	154.004
2015-24	10-26-15	T.S.O. VII
2015-25	10-26-15	T.S.O. VI

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<i>BC Ord. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
2015-26	11-9-15	T.S.O. VI
2015-27	11-9-15	T.S.O. VI
2015-28	--	T.S.O. VI
2015-29	11-23-15	136.10, 136.99
2015-30	12-14-15	T.S.O. VI
2015-32	12-28-15	T.S.O. VII
2015-33	12-28-15	T.S.O. VII
2016-01	1-25-16	150.15
2016-02	2-8-16	T.S.O. VI
2016-03	3-28-16	T.S.O. VI
2016-R-06	5-9-16	T.S.O. VI
2016-07	5-9-16	T.S.O. VI
2016-08	5-9-16	39.10
2016-09	5-23-16	T.S.O. VII
2016-10	6-13-16	131.16, 131.36, 131.37, 131.99
2016-11	6-13-16	T.S.O. VI
2016-12	7-11-16	T.S.O. VII
2016-13	7-11-16	T.S.O. VI
2016-14	7-25-16	T.S.O. VII
2016-15	7-25-16	T.S.O. VII
2016-16	9-12-16	T.S.O. VI
2016-20	10-10-16	32.05
2016-21	11-14-16	T.S.O. VII
2016-22	11-14-16	T.S.O. VI
2016-25	--	T.S.O. VII
2016-26	11-28-16	T.S.O. VI
2016-27	11-28-16	T.S.O. VI
2016-28	11-28-16	T.S.O. VI
2016-29	11-28-16	T.S.O. VI
2016-30	12-12-16	31.08
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